In the ~~District~~ Circuit Court of
the United States for the
District of Massachusetts

John Parker - David Parker
and Henry Parker
adfm
John Woodcock ..... } Deposition of Joseph Sprague

State of New York ss: Joseph Sprague
of the City of New York Merchant
being duly sworn as a witness
on the part of the
defendants doth depose and say
that in the year 1809 he was
employed by Stephen Smith
Partner of John Woodcock both
of Leicester County of Worcester
Massachusetts and known by
the Firm of Woodcock & Smith, to
deposit in the Patent Office of the
United States a Model drawings &c
of a machine for splitting leather
and to obtain Letters Patent for
the same in the name of the said

Woodcock. That on his arrival at the Patent Office and presenting the Models Drawings &c. he was informed by the proper authority of said Office that. he was too late that a gentleman by the Name of James Parker had obtained Letters Patent for a Machine for the same purpose, and on the same principles, and presumed that when what Parker had in said Office was shewn, no other Patent would be demanded. which model, on examination, was found to be the same in principle with the one presented. That this Deponent at first doubted what to do, but finding that if demanded a Patent could notwithstanding be obtained, this Deponent demanded & obtained Letters Patent accordingly. That on his return to Baltimore he accidentally met with said Parker whom he had never seen before. That he interrogated him respecting the principles of his said Machine, the date of his Invention &c.

to which he replied with much plainness and precision. That said Parker dated his invention so far back as produced a conclusion he might be the first inventor, and at the same time this Deponent determined if possible to prevail on said Parker to postpone building and improving of said Machine till said Parker and Woodcock saw or heard from each other. That this Deponent then informed said Parker he had obtained a Patent for said Woodcock for a Machine for splitting leather and invited him to view a model of said Machine. That said Parker thereupon appointed a time, and when in pursuance thereof he called, he found this Deponent shewing the Model and a shaving to some gentlemen to whom it was stated that nothing of the kind had been done equal to it. The Gentlemen doubted whether it was done by a Machine, whereupon said

Parker

Parker observed there was no question but the leather was split for he had done the same many years before and at the same time presented a Roll of leather which he had split and finished in the exact manner and the two pieces were then joined together at one end as nature had formed the Skin which convinced the Gentlemen of the truth of the operation and this deponent of his mistake in saying nothing of the kind had been done equal to it. This deponent further says that feeling disappointed at this unexpected proof of said Parkers operation he immediately packed said Model and Drawing in his Trunk, and proposed to said Parker to give liberty to said Woodcock to sell a Number of Machines that he had promised. That said Parker asked whether any direction from said Woodcock to request liberty to sell had been given, which was answered in the negative That said Parker thereupon observed it would be very improper for him to give said Woodcock any such liberty not knowing said Woodcock nor where he lived. That said Parker further

observed he considered the right his, That he had Patented to him all said Woodcock had and more, and if he found any Person intruding on his Patent right without liberty he would prosecute them agreeably to Law. That thereupon this deponent told said Parker he had no doubt, if the right was his, that said Woodcock would do what was just if said Parker would give liberty to sale said machines, That said Parker then observed if said Woodcock was an honest Man and if he would make known his wishes to said Parker at Baltimore in a letter he would give said Woodcock an answer and was willing he should fulfil his engagements and would pay him a Commission for selling. and said Parker further observed if said Woodcock did really invent said Machine and was willing to acknowledge the right to the first invention, said Parker would make it advantageous to said Woodcock by giving him liberty to sale and allow him Commission for the same. That this deponent then proposed to said Parker to omit

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making or Winding said Machine until he returned or heard from said Woodcock, to which said Parker answered he had engaged to build a Machine for Splitting Leather in Baltimore, but that it was at his option to build such a Machine as he pleased having different kinds secured to him by Patent. He said it was his intention to exhibit all his Machines for the Public decision. Under this consideration said Parker agreed he would not build on the principles said Woodcock claimed, until he saw or heard from said Woodcock, on condition this Deponent would agree as an agent that said Woodcock should not build or Vend. to all which this Deponent did agree on the Part of said Woodcock. That said Parker further Observed that if said Woodcock's gage was cast solid it would be much cheaper and more perfect, also if multiplied Wheels or a Wheel and Screw turned by a Winch was applied to give motion to the Roller in lieu of the Windlass the Operation would be much easier and more perfect. That on explaining the utility of the Multiplying Wheels or the Wheel and Screw and the defect of the Windlass this Deponent was careful to retain said Parkers observations respecting them and communicated the same to said Woodcock on his return. That said Woodcock observed he thought there was a better way than the Windlass to move the Roller, but he never thought of any other way to do it and soon after applied the Wheels to his Machine and likewise cast his Gage solid. This Deponent further says, he communicated to the said Woodcock the manner he obtained the Patent, and the objections made at the Patent Office, and the agreement he made with said Parker at Baltimore as agent and in behalf of said Woodcock and further this Deponent saith not.

Joseph Sprague

Sworn the eighteenth day of April 1813 Before Me

Peter Mercier one of the Judges of the Court of Com: Pleas in & for the City & County of New York—

In the ~~District~~ Circuit Court of the United States
for the District of Massachusetts

John Parker David Parker and Henry Parker adm. of John Woodcock ---- } Deposition of Berachiah Webb

State of New York ss. Berachiah Webb of the City of New York Carpenter being duly sworn doth depose and say that, in August or September 1808 in the town of Stamford County of Fairfield and State of Connecticut where he then lived, he was present when Samuel Parker of the Town of Billerica of the County of Middlesex and Commonwealth of Massachusetts was erecting a Machine for the splitting of Leather on the moving principles, at which time some conversation took place on the different principles of splitting Leather. That this deponent heard said

said Parker & say he had invented
and used a Machine with a
Stationary Knife as much as
Ten or twelve years before, and
further that this deponent further
saith that in September or October
he saw said Parker putting on a Machine
building as aforesaid in Operation
at different times and with dif-
ferent alterations, and that it
operated a great saving of Leather
and Labour, and this deponent
further saith that he was some
of the Leather, and never had any
Leather that were better. That
soon after he had so seen said
Machine in operation said Parker
pointed out to him an omission in
his Patent in omitting a Stationary
Knife and told him if he had the
Money with him he would secure
it before he went home. Said
Parker likewise soon after told
he had the promise of the money
to secure the Stationary Knife
in Patent and intended to do it before
he went home. And this deponent
further saith that he was at said
Bellevue in June 1811 and was at the
Farm yard of Asher Parker & of David
Parker & Henry Parker Defendants
in the above cause and saw the
machine which is in Dispute and
saw said Machine in Operation
and found it to be on the same
principles pointed out to me by
said Parker at Stamford in 1808
Also that same principle which
Parker shewed me in said Stamford
in Operation and made in the said
year 1808 - And further this Depo
nent saith not

Sworn the 17th day of } Hezekiah Webb
April 1813 Before me }

[illegible] Mercier one
of the Judges of the Court
of Common Pleas in and
for the County of New York

In the District Court of the United States for the District of Massachusetts —

John Parmele Davis Parker
Moses Parker
Asa Parker
John Headreck

Deposition
of
Ebenezer Miller

Ebenezer Miller of the City of Worcester, in the County of Worcester and State of Massachusetts, a Carpenter being duly sworn doth depose and say that in the Month of August 1848 he was employed in the Town of Stamford County of Fairfield and State of Connecticut where he then lived in building a Machine for shaving or splitting skins or leather and to build a Machine to extend & consolidate leather under the Direction of Samuel Parker of Middlesex County of Middlesex and Commonwealth of Massachusetts that the construction of said Machines was such

this Deponent at the time said Miles Rines was
then in operation and before that
time. This Deponent saw the machine
first in operation about the last
of September 1806 & a great saving
of leather and labour, and further says
that about the time said Machine
was first in operation, and before
that time said Parker pointed out
an omission in his Patent in omitting
a stationary Knife, and told
this Deponent he had invented and
had a machine more than nine
years before and obtained [illegible] this Deponent
that it
was with a Knife placed stationary.
That the Knife was placed a move-
able gage turning on its axis regulated
by cams and springs to govern the
thickness of the leather, the leather
confined smooth to the gage and
knife by a moveable spring plate
turning on pivots and otherways, and
regulated by various springs and Rings.
the leather was drawn by a Roller
in or to which it was confined by
a moveable rod fast. said Parker for
the rod this Deponent if he had
money with him to defray the expenses

and [illegible] attention to the Patent
and [illegible] the Staffordshire Knife infor-
mation [illegible] the time of said Machine
being put in operation [illegible]
and [illegible] with [illegible] Deponent to build
a machine for the [illegible]
[illegible] Parker [illegible]
further Saith that while said Parker
was at Stamford and in the year
1806 said Parker obtained a
Model he had built to show and
explain the machine by said Model
was built on the Stationary
principle of the Knife plate Stationary
near the Knife was placed a moveable
Gage turning on its axis or pivots at
the ends and regulated by screws &
springs to govern the thickness of the
leather. The leather confined on with
to the Gage and Knife plate by a
Spring Plate turning on pivots and regu-
lated by screws springs & Rings. The leather
drawn by a Roller in or to which it
was confined by a moveable rod fast

[illegible] was examined before the Rolling
Mill & found to be in use & Drawn with a
Draught line & Angle & the Draught
about the Time & Manner Said Mordecai
Said Parker told him the Rolls the Iron
was of Course Smooth & about this
time the Man was not Disappointed, and
as soon as he got the money he
Set immediately off for the Patent Office
and Secure the Patent. To the
which the said Mordecai before he
went there Drew up a petition &
a Model of the Same to be laid
before the Secretary of State through
the Hands of Benjamin Rush Esq the
County Attorney for the City & County
of Philadelphia & the said Parker
on this Application Said Parker Was
informed that Depositor the Mordecai
Should be Entitled to
have received by reason of the Model
being Misplaced & the Model Said
Parker Gave the Said Depositor
he should go immediately home and
if the Same was well and the Draught
by their good he should be Called to
the City in two or three weeks at
furthest and should go on the return
to the Patent Office and Procure
another Patent to Secure the Patentee

Mordecai Said Parker accordingly did
return within the time he Set and
after Spending a Month or two
at said Stamford he Started as he
told the Deponent for the Patent
Office. This Deponent further saith
that he has Particularly examined
the copies of Said Parkers Patents
in the Patent Office certified and
Signed by James Monroe Secretary
for the Department of State of the
United States of America Dated 5th
April 1813 and finds them to con-
tain the same principles Said
Machine and Model contained. Also
the same as Said Parker told this
Deponent & Speaking with more than
nine years before 1808 as aforesaid
and this Deponent has certified the
same on the back of said Drawings
And further this Deponent saith
not —

Ebenezer Mercer

Sworn the 17th day
of April 1813 Before Me

Peter Mercer - one
of the Judges of the Court of
Common Pleas in & for the County
of Philadelphia —

New York ss: Be it remembered that I
Peter Mesier one of the Judges of the Court
of Common Pleas in and for the City and County
of New York not being of counsel or attorney
for either of the Parties in the above
cause or interested in the event of said
cause Do Certify that on the 16th Day of
April 1813 came and appeared before me
the above named Deponent Joseph
Strasser, and that on the 19th Day of
April 1813 came and appeared the above
named Deponents Henrich Nebe and
Ebenezer Miller who being severally &
respectively examined by me and cautioned
and sworn to testify the whole the
whole truth and nothing but the truth
(did severally depose that the several
foregoing Depositions, which were read
in writing by me in their presence and
subscribed by them the said Joseph
Strasser Henrich Nebe and Ebenezer Miller
respectively in my presence contain the
truth the whole truth and nothing
but the truth - Taken at the City of New
York

sport at the request of the Defendants in the above cause in the Circuit Court of the United States for the District of Massachusetts - The aforesaid Depositions residing in the City of New York more than one hundred miles from the place of trial in the cause of taking the aforesaid Depositions. And it being proved to me that the Plaintiff in the above cause resides in Leicester in the County of Worcester in the State of Massachusetts above one hundred miles from the place of Caption and that he has no agent or Attorney in this City in the reason why he was not notified to be present at the taking of the same and the said interrogatories - Done at New York April 17th 1813 -

Peter Nevius - one of the Judges of the Court of Common Pleas in and for the City & County of New York

Deposition of
Joseph Sprague
Ezekiah Wolcott &
Ebenezer Miller

W.S.S.

I Ezra Varden of the City of Washington and District of Columbia of lawfull age being first sworn on the Holy evangelists of Almighty God doth depose and say that about the last of May or early in the month of June in eighteenhundredeight I became acquainted with Sam.l Parker of Billerica County of Middlesex common wealth of massachusetts at his lodgings in this City after some conversation with s.d Parker he informed me his business to this City was to secure patents for Improvements in tanning, currying and finishing leather and shewed me a specification and Model for splitting leather with a knife placed stationary or a knife secured to a carriage moveing horizontally through mortices by the side of a moveable beam or gage turning on its axis or pivots and regulated by screws and springs to govern the thiness of the leather The leather confined smooth to the gage and knife by a moveable spring plate turning on its axis or pivots regulated by screws springs and keys The leather when in the operation of splitting is drawn by a roller in or to which it was confined by a moovable holdfast The motion was communicated to the roller by multiplied wheels to gain a purchase turned by a winch the axis of which formed a crank that gave motion to the knife carriage being attached thereunto by a shaft By detatching said shaft from said knife carriage the same Machine when in operation acted on the stationary principle and was so exprest in said specification The leather was extended as it passed to the gage and knife by a roller or rollers The specification refered to contained other different ways to split leather and it was signed by said Parker witnessed by Elizabeth Breed and John Doak and sworn to before Timothy Bigelow justice of the peace and was date about or past the middle of April 1808 I further depose that I have this day particularly examined the copys of said Parkers drawings deposited in the Patent office certified and signed by James Monroe Secretary for the Department of state of the United States of america dated April 5th 1813 and find them to be the same and no other than such as was

contained in the specification and Model refered to and I have this day certified the same on the back of said drawings. I further depose I was at the patent office about the middle of July 1812 in company with said Barker and heard said Barker agree with M.r Nicholas King of said city to make a Drawing of the Model refered to and know the was paid at the time and said King agreed to make the Drawings immediately and deposit them in said patent office. I further depose that I am not intrested in ~~said event~~ the event of the said cause neither directly nor indirectly. I further depose that I have no right title nor interest in neither of said Barkers Patents and further the deponent saith not. — — — —

Witness my hand this 7th day of April 1813 — }
Ezra Varden }

County of Washington District of Columbia set.

I hereby certify that the foregoing deposition of Ezra Varden a Witness produced on the part of John Parker, David Parker and Henry Parker defts in an action of trespass on the Case now pending between the said defendts and John Woodcock of Leicester in the District of Massachusetts before the Judges of the Circuit Court of the United States for the ~~said~~ first Circuit, and to be used on the trial of the said suit at the circuit Court next to be holden at Boston within and for the said District of Massachusetts on the fifteenth day of May next ensuing) was taken before me the Subscriber an assistant Judge of the Circuit Court of the United States for the District of Columbia, because he the said Ezra Varden at the time of taking his said deposition was in the City of Washington and then lived more than at a greater distance from the ~~City of Washington~~ place of trial than one hundred Miles. I further certify that no

Notification to the adverse party to be present at the taking of the said deposition was made out and served either on the said party or his attorney, neither living within one hundred miles of the place of caption of the said deposition; I further certify that the said Witness was by me carefully examined and cautioned and sworn to testify the whole truth, and that he committed the said deposition to writing and signed the same in my presence.

I further certify that I am not of Counsel to either of the said parties, and that I am not interested in the event of the suit in which the said deposition is to be read in Evidence.

Given under my hand at Washington in the District of Columbia aforesaid this seventh day of April A. Dom. 1813.

B. Thruston

District of Columbia to wit

I William Brent Clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify, that the Hon: Buckner Thruston before whom the above deposition was made, was at the time of making the same and still is one of the Assistant Judges of the Circuit Court of the District of Columbia, duly commissioned and sworn - and to his Acts as such, full faith and credit are, and ought to be given as well in Court of Justice as thereout.

In testimony

In testimony Whereof, I have hereto set my Hand, and affix'd the Seal of the said Court at the City of Washington, this 7th Day of April Anno Domini 1803, and in the 27th Year of American Independence. Wm Brent Clk

W.S.S.

Deposition of
Ezra Rundell

Circuit Court of the United States for the District of Massachusetts.

John Woodcock, of Leicester, County of Worcester, and State of Massachusetts, Card-maker, Plaintiff

vs.

John Parker, David Parker, and Henry Parker, of Billerica, County of Middlesex, and State of Massachusetts, Defendants.

State of New York, Columbia ss. — Luther Wood of the City of Hudson, and County of Columbia, tanner, of lawful age and good repute, being duely sworn, doth depose and say —

That about the first day of December, 1808, William Bent, of Boston, Massachusetts, came to the house of the deponent in Brookfield, in the County of Worcester aforesaid, where this deponent then lived; and after informing the deponent that he could make a machine to split leather, and after making some proposeings concerning it, he the said Bent began and made a machine, which was put in operation in the month of January, 1809, at the Shop of this deponent, in said Brookfield; when and where Col. Thomas Denny and Alpheus Smith, both of Leicester in said County of Worcester, were present, and saw the operation of the said machine: which not then operating according to the satisfaction of said Bent, another time for giving it an experiment was appointed; at which time the aforesaid Denny and Smith were again present, and witnessed the operation of the said machine.

This deponent further deposeth and saith, that at the ~~last mentioned~~ time when the said machine was put in operation, he, in the presence of sd Denny and Smith, heard said Bent say that Samuel Parker, of Billerica, County of Middlesex, and State of Massachusetts, had a machine for splitting Leather on the stationary principle; and that he the sd Bent had been at sd Parkers house, and there saw the sd machine, but did not see it operate. but that at the same time the sd Bent gave it as his opinion that the said Parkers machine would not answer so good a purpose as the said Bents; forasmuch as the stationary knife would cause more strain on the Leather than the moving knife; and the sd Bent further said that the stationary knife would cause so much strain on the Leather that it never could work.

This deponent further deposeth and saith, that sd Bent repeatedly told him of his having seen said Parkers machine, soon after he came to

sd deponents, as aforementioned, and before sd machine was put in operation.

This deponent further deposeth and saith, that at the time said Bent was building said machine, at the sd deponents house, he the said deponent was at Leicester aforesaid, at the house of the said John Woodcock, Card-maker, partner of the aforesaid Smith: Where and when the said Woodcock and this deponent were in conversation about the sd machine that the said Bent was then building, and that a Stationary principle was also spoken of at the same time by sd deponent: and the said Woodcock then declared that the Stationary knife would not work

This deponent further deposeth and saith, that in the month of February 1809, he was at sd Woodcocks factory, and conversed with sd Woodcock where and when he saw sd Woodcock and conversed with him concerning sd Bents machine; and that at the same time said deponent told sd Woodcock what said Bent had said to him in presence of sd Denny and Smith, concerning sd Samuel Parkers machine as the Stationary principle: and that sd Woodcock then observed, that he should soon have a machine that would beat you all.

And further the deponent saith not.

Luther Wood

Sworn to, this 27th day of April, 1813,
before me
Ezra Sampson, one of the Judges
of the court of common pleas for the
County of Columbia.

I Ezra Sampson, one of the judges of the court of common pleas in and for the County of Columbia, State of New York, do hereby certify that on the 27th day of April, 1813, personally came before me the above named deponent, to wit, Luther Wood, who after being by me carefully examined and sworn to testify the whole truth, did deliver and subscribe the testimony as by him given, after the same was reduced to writing by myself. I further certify that I am not of counsel or attorney for either of the parties in the above cause, nor am I interested in the event of said cause; and that the reason of taking the above deposition, is that the deponent therein named resides above one hundred miles from the place where the said cause is to be tried; and that the said deposition was taken at the request of the defendants.

Ezra Sampson.

I hereby Certify that Ezra Sampson Esq. was appointed Judge of the court of Common Pleas of the County of Columbia and State of New York on the twenty third day of March 1813 and from that time has acted and still continues to act in that capacity

Ezekiel Tolbert Clerk
of the County of Columbia

I hereby certify that William Wilson has been First Judge of the court of the county of Columbia for several years and still is so

Ezekiel Tolbert Clerk of
the County of Columbia

Deposition of
Lewther Wood

W. 55

Circuit Court of the
United States for the
District of Massachusetts

John Woodworth
vs
John Parker David Parker
and Henry Parker

The Deposition of Henry Waring of Stamford in Fairfield County and State of Connecticut Shoe-maker who being duly sworn made Solemn oath that in the month of August A. D. 1808. Samuel Parker of the town of Billerica County of Middlesex and State of Massachusetts came into said Stamford and built a Machine to shave Leather or split Skins or leather at the Tanyard of William Waring in said Stamford. Said machine was built on the moving Principle. I saw said machine in operation at different times and with different alterations, to a great saving of leather and labour. I also saw said Leather after it was finished which appeared very good. I also wore of the Split leather which was Split in said machine which proved very good — I further depose that in the year 1810. I saw another machine for Splitting leather at the same place in said Stamford, and saw said machine operate — Said machine was constructed as follows. A knife placed Stationary. Near the knife was placed a movable gage turning on its axis or Pivots and regulated by Screws and Springs to govern the thickness of the Leather — The Leather was confined smooth to the gage and knife by a movable Spring plate turning on Pivots and regulated by Screws Springs and Keys — The Leather was drawn by a Roller in or to which it was confined by a movable hold-fast — Motion was communicated to the Roller by a Wheel turned by a perpetual Screw by a crank — I further depose that by simply detaching the Shaft from the knife-carriage, in the moving principle, the same becomes Stationary, and operates on the same Principle ~~that~~ said last described machine Said Parker in the year 1808. Shewed me a model built on the same Stationary Principle before described — I further depose that I heard said Parker speak of an Omission in his Patent, and that he wished to go to the Patent Office before he went home; but not being prepared, he concluded to go home first, and then to return as soon as possible mentioning about two or three weeks, that within which time he did return, and after spending a week or two in Said Stamford, he set off (as he said) for the Patent Office — I further depose that about the first of November 1808. said Parker sold said first machine to William Waterbury 4th and Ebenathan Todd of Stamford — About the time said machine was sold — I heard said Todd say that he could Split a Sheep-Skin three times in two, in said Machine —

And further saith not —

Henry Waring

I Joseph Sillimans one of the Judges of the Court of Common Pleas in and for Fairfield County in the State of Connecticut, Do hereby certify that on the 21st day of April A. D. 1813 in the town of Stamford in said County personally came before me Henry Waring the within named Deponent, who after being by me carefully examined and Cautioned, and Sworn according to Law to Certify the truth the whole truth and nothing but the truth, did Subscribe and deliver the Testimony by him given as within written, after the same was reduced to Writing by myself - I further Certify that I am not of Counsel or Attorney for either of the Parties in this Case or otherwise am I interested in the event of said Cause — And that the reason for taking this Deposition is that the Deponent resides more than one hundred miles from the place where said cause is to be tried - And the reason that the adverse party was not duly notified to be present at the taking of this Deposition is that the place of Captivity is more than one hundred miles from the Plaintiffs Residence - I further certify that this within Deposition was taken at the request of the Defendants - and is to be improved before the Honble Circuit Court of the United States to be holden at Boston in the District of Massachusetts in the month of May 1813. In a action pending before said Court wherein John Woodcock of the town of Leicester County of Worcester and State of Massachusetts is Plaintiff and John Parker David Parker and Henry Parker of the town of Billerica County of Middlesex and State of Massachusetts are Defendants —

Joseph Sillimans

1813

Charles Waring of Stamford County of Fairfield and State of Connecticut Carpenter doth depose and say that about the month of September 1808. I saw Samuel Parker of Billerica County of Middlesex and State of Massachusetts at the Tan-yard of Lt. William Waring in said Stamford, and with him a machine for Splitting Leather. Said Machine was built on the movable principle — I repeatedly saw said machine in operation of splitting leather with different alterations in said machine to a great saving of Leather and Labour — I saw the Leather after it was Split and finished which appeared very nice — I also wore some of the Leather and found it equal to any I could get — I further declare that said Parker had an other machine at the same place in said Stamford, in the year 1810, on the following Construction, A knife placed Stationary, near the knife was placed a movable gage, turning on its own axis or pivots and regulated by Screws and Springs — The Leather confined smoothe to the gage and knife by a movable Spring-plate turning on pivots and regulated by Screws, springs and heyer — The Leather was drawn by a Roller, in or to which it was confined by a movable hold fast — Motion was communicated to the Roller, by a Wheel turned by a perpetual Screw, by a Wench — I further depose that by simply detaching the Shaft, from the Knife-gage in the moving principle the same became Stationary and acted on the same principle that said last described machine — I further Depose that about the time said first machine was in building, said Parker informed me of the Stationary Principle above mentioned and soon after shewed me a model containing the same Principles — I further declare that said first mentioned machine was sold to William Waterbury 4th and Jonathan Todd of said Stamford, about the first of November 1808. before said Machine was sold and at the time said machine was in operation, I heard said Todd say, that he could Split a Sheep Skin three times in two, also that he could Split a Shad devin said Machine, or in a machine built on the same principle — I further say said Parker told me in the year 1808. of his intentions to secure a Stationary knife before he went home, by Patent — And heard said William Waring say that if he received the money for his place that he had sold, he had promised and should let said Parker have the money, to go and obtain another patent, before he went home — and further the Deponent saith not — Charles Waring

I Joseph Silliman one of the Judges of the Court of Common Pleas
in and for the County of Fairfield in the State of Connecticut: Do hereby certify
that on the 20th day of April A. D. 1813. in the town of Stamford in said
County personally came before me Charles Waring the within named De-
ponent; who after being by me carefully examined and cautioned and
sworn according to Law, to Testify the truth the whole truth, and nothing
but the truth, Did Subscribe and Deliver the Testimony him given as
within written after the same was reduced to writing by myself —
I further certify that I am not of Counsel or Attorney for either of the
Parties in the Cause to which this Deposition alludes, nor am I interest
in the event of said Cause or Suit — That the reason for taking this writ
written Deposition is that the Deponent resides more than one hundred
miles from the place where said cause is to be tried — And the reason that
the adverse party was not notified to appear and be present at the taking of said
Deposition is that the place of Station is more than one hundred miles
from the Place of the Plaintiffs Residence — I further Certify that this
Deposition was taken at the request of the Defendants, it and is to be used
and improved before the honorable Circuit Court of the United States
to be holden Boston in the District of Massachusetts in the month of May
A. D. 1813. In an action pending before said Court wherein John
Woodcock of the town of Leicester County of Worcester and State of Massa-
chusetts is Plaintiff, and John Parker David Parke and Henry Parker
of the town of Billerica County of Middlesex and State of Massachusetts
are Defendants ——

Joseph Silliman

SSM

Deposition of
Charles Waring

Circuit Court of the
United States, for the
District of Massachusetts

John Woodcock
vs
John Parker 2nd & Samuel Parker
& Henry Parker

William M. Smith of the Town of Stamford County of Fairfield and State of Connecticut Sadler, of lawful age and good repute, being duly Sworn Deposeth and saith that on or about the month of September A. D. 1808. I saw Samuel Parker of the town of Billerica, County of Middlesex, and State of Massechusets, at said Stamford at the Dwelling-house of William Waring, and with him a Machine for spliting Leather, said Machine was built on the moving principle — I repeatedly saw said Machine in Operation of Spliting Leather, with different alterations in said Machine, to a great saving of Leather and labour. And I saw the Leather after it was finished, which appeared very nice — I also bought and used some of the Leather that was split in said Machine, and found it to prove very good — I further depose and say, that said Parker had another Machine at the same place in said town of Stamford in the year 1810. on the following Construction, a Knife placed Stationary — near the knife was placed a movable Guage turning on its axis, or Pivots and regulated by Screws and Springs — The Leather was confined smothe to the gage, and knife, by a movable Spring-plate turning on pivots and regulated by Screw-springs and Rings. The Leather was drawn by a Roller in or to which it was confined by a movable hold fast. Motion was communicated to the Roller, by a Wheel turned by a perpetual Screw, by a Wench — I further depose and say that by simply detaching the Shaft from the knife carriage, the same Machine I saw in the year 1808. in operation, would operate on the same principle of said Machine which I saw in operation in the year 1810. which said Samuel Parker then informed me the principle of, & bout the time I saw said Machine in operation in the year 1808: and also in the same year 1808. said Parker shewed me the same in Model, viz the Machine in operation 1810 - or the Stationary Principle. William M Smith

I Joseph Sillimanone of the Judges of the Court of Common Pleas in & for the County of Fairfield in the State of Connecticut. Do hereby certify that on the 20th day of April A. D. 1813. in the town of Stamford in said County personally came before me, William H. Smith, the within named Deponent who after being by me carefully examined and cautioned, and sworn according to Law, to testify the truth the whole truth and nothing but the truth — Did Deliver and subscribe the Testimony by him given as within Written, after the same was reduced to Writing by myself — I further certify that I am not of Counsel or Attorney for either of the parties, in the above action or cause, nor am I interested in the event of said cause; And that the reason for taking the within written Deposition, is that the Deponent therein named, resides more than one hundred miles from the Place where the said cause is to be tried. And the reason that the adverse party was not notified to be present at the taking said Deposition, is that the place of caption is more than one hundred miles from the place of the Plaintiff's residence —

I further certify that this Deposition was taken at the request of the Defendant And to be used and improved before the Honorable Circuit Court of the United to be holden at Boston in the District of Massachusetts in the month of May A. D. 1813. in an action pending before said Court wherein John Woodcock of Leicester County of Worcester and State of Massachusetts is Plaintiff and John Parker David Parker and Henry Parker of the town of Billerica County of Middlesex and State of Massachusetts are Defendants —

Joseph Silliman

D. Deposition of
William H. Smith

Circuit Court of the United States
for the District of Massachusetts

John Woodcock, of Lunenburg County of Worcester District of Massachusetts Coachmaker
Plaintiff

vs

John Parker David Parker & Henry Parker, of Billerica, County of Middlesex & District of Massachusetts
Defendants, farmers

To be used in an action of Trespass now depending between the s[d] John, David and Henry and s[d] Woodcock in the Court to be holden at Boston May 18[th] 1813

Town of Bedford, County of Westchester and State of New York ss; Jonathan Dibble of Clarkstown Rockland County state of New York Farmer of lawful age and good repute being duly sworn on the holy evangelists of almighty God doth Depose and say that in the Month of May 1810 I was employed in the town of Stamford County of Fairfield and state of Connecticut where I then lived to take into my possession a machine for splitting leather belonging to Samuel Parker of Billerica, County of Middlesex and state of Massachusetts and keep the same untill further Orders from s[d] Parker Accordingly I did at that time receive s[d] Machine which has remained ever since and still remains in my possession as s[d] Parkers property, and never has been claimed by any other person, in any other way, than by Col Thomas Dany of Lunenburg, County of Worcester and state of Massachusetts only whom I was forbid the use of s[d] Machine s[d] Dany claiming the patent right as his own and offered to sell s[d] right Done in the Month of June 1811 and further the Deponent saith not

Jonathan Dibble

Deposition of Jonathan Dibble

I Caron Read one of the Judges of the Court of Common pleas in & for the County of Litchfield do hereby certify that on this 23rd day of April 1813. Personally came before me the within Deponent Jonathan Dibble who after being by me carefully examined cautioned and sworn to testify the whole truth did deliver and subscribe the testimony as by him before given after the same was reduced to writing by myself. I further certify that I am not of Counsel or attorney for either of the Parties in the above cause nor am I interested in the event of said Cause, and that the reason for taking the above deposition is that the Deponent therein named resides above One hundred miles from the place where said cause is to be tried and that the adverse party living more than One hundred miles from the place of Caption was not Notified And that the said Deposition was taken at the request of the Defendant

Caron Read

Deposition of
Jonathan Dibble

WSS

Circuit Court of the United States
for the District of Massachusetts

John Woodcock
vs
John Parker David Parker
and Henry Parker

State of New York. County of Columbia ss

Stiles N. Fox of the town of Rhinebeck
County of ~~Columbia~~ Dutchess State aforesaid
Farmer & Currier of lawful age & good
repute being duly sworn on the Holy Evan-
gelists of Almighty God doth depose
& say that in the month of November
in the year of our Lord one thousand
eight hundred & nine that he was in
company with Samuel Parker of Bille-
rica County of Middlesex & Common-
wealth of Massachusetts at the manufac-
tory of Woodcock & Smith of Leicester
County of Worcester & Common Wealth

of Massachusetts — When & where he saw a machine for splitting leather — & having informed said Woodcock that he was a Tanner & about to purchase a yard & to set up the business for himself — the Sd Woodcock enticed him to buy one of his machines the the deponent asked Sd Woodcock if he bought a machine of him whether some other person would not claim the patent right — the Sd Woodcock said there was no other person that had a patent for his machine or any like his — the the deponent then asked Sd Woodcock if there was not some other person that had a patent for splitting leather — when said Woodcock said a man by the name of Bent had built a machine near there for splitting leather and had a patent but it was not on the same principle nor like his — the the deponent then asked the Sd Woodcock if there was not some other person that had a patent for splitting leather on the same principle as his machine Sd Woodcock said there was a man at the Southward that had a patent

and had built a machine to split lea-
ther but it was on a different princi-
ple entirely — the deponent then asked Mr
Woodcock if he did not know some per-
son that had a patent for splitting leath-
er on the same principle of his machine
Mr Woodcock said there was not any
person that had a patent for split-
ting leather that he knew of except Mr Bent
of Braintree at the southward & that they
were not in the same principle of theirs
& his — & then was there any patent that
would interfere — Pat Samuel Parker
above named then asked Mr Woodcock
if there was a man in Lecaster by the
name of Sprague — Mr Woodcock wished
to know what Sprague — Mr Parker said
he did not know what Sprague, but
asked Mr Woodcock if he did not find
& obtain his patent by a man by the
name of Sprague, Mr Woodcock said
he did — Mr Parker then asked Mr Wood-
cock if Mr Sprague who obtained

his patent for him did not tell him that a patent was granted to another person for the same thing & on the same principles to which Sd Woodcock made no reply — Sd Parker then repeating the same Question to Sd Woodcock to which Sd Woodcock then replied I know you, who you be, your name is Parker you live in Billerica, you have done nothing on the same principles except in Models — at the same time Sd Woodcock cast many reflections on Sd Parker on account of his misfortunes and that he owed so much money he doubted whether he ever would build a machine — Sd Parker then told Sd Woodcock he had called on him by the request of Mr Sprague his agent who obtained his patent for him, but he did not expect to receive such treatment as he had received from him the Sd Woodcock — Sd Parker further told Sd Woodcock he did not come there to dispute about

the right, but should inform him he considered the right his - and if he found him or any other person using it he should prosecute them according to the patent Law —

and further this deponent saith not.

Sworn the 26th day of April 1813 before me
W. Wilson First Judge of the Court of Common Pleas in & for the County of Columbia & State of New York —

Stiles R Gay.

I William Wilson First Judge of the Court of Common Pleas in & for the County of Columbia State of New York — do hereby certify that on the 26th day of April 1813 — personally came before me the above named deponent, who after being by me carefully examined

cautioned & sworn to testify the whole truth did deliver & subscribe the testimony as by him above given. after he same was reduced to writing by myself — I do further certify that I am not of Counsel or Attorney for either of the parties in the above cause nor am I interested in the event of sd Cause and that the reason for taking the above deposition is that the deponent therein named resides above one hundred miles from the place where the sd Cause is to be tryed. and that the sd deposition was taken at the request of the defendants

W. Wilson

Disposition of

Miles B. Fox

Maryland District, Baltimore County Sct.

John Woodcock, Plaintiff (of Leicester in the Massachusetts District)

against

John Barker, Henry Barker and David Barker, Defendants (of Belterica in the same District)

action depending in the Circuit Court of the United States to be held at Boston for the Massachusetts District on the Fifteenth Day of May, Eighteen hundred and thirteen

The Deposition of George Thing of the County of Baltimore in the Maryland District of lawful age, a witness produced on the Behalf of the Defendants in the above cause, who being cautioned and sworn to testify the whole truth in the above cause, deposeth and saith, That in the Spring of Eighteen hundred and Nine, he was employed at the Tan yard of Richard Grey Heath Esquire of Baltimore County in the Maryland District, under the Directions of Samuel Barker of Belterica, County of Middlesex in the Massachusetts District, to build a Machine to split Leather, also a Machine to consolidate Leather and a Machine to print Leather. Before either of said Machines was completed, Deponent was requested to quit the Business said neither of the Machines was ever finished by him or any other person. The Consolidating Machine was the nearest finished of any of them and was the only one any Attempt was made on, even to shew the movement, but not being finished, no Operation was made. Had the Ends of the Spiral Grooves been guarded with cast Iron which said Barker waited a number of days for, the Consolidating Machine might have been put in Operation, but the wood being loose, at the Ends of the Spiral Groove, it failed in shewing the movement and never was put in Operation.

Deponent is a Carpenter and Wheelwright

Deponent further saith that the said Machines when finished were so constructed, that the Splitting Machine could be in Operation with either of the other Machines at the same time, if desired

or either of the three could Operate separately and the machinery necessary to regulate the movement of each of said Machines simply regulated the three when put in Operation —

Deponent further saith, that the Consolidating and the printing ~~machinery~~ could not be done at one and the same time, but must be done, separately and by separate machinery —

Sworn and Subscribed to Before me this tenth Day of April Eighteen hundred and thirteen at my Office in the City of Baltimore in the Maryland District —

Subscribed

George King

John Scott, Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County —

City of Baltimore, Maryland District.

I hereby Certify that the aforegoing Deposition of George King, a witness produced on the part of John Barker, Henry Barker and David Barker the Defendants in the above cause, was taken before me John Scott Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County, because he the said George King at the time of taking the said Deposition, was a resident of Baltimore County and now lives at a greater distance, than One hundred miles from the place of trial.

I further Certify that no notification to the adverse party to be present at the taking of the Deposition to put Interrogatories, if he should think fit, was made or served either upon the said Party or his attorney, neither being within One hundred Miles of the place of Caption of the above Deposition —

I further Certify, that the said Witness was by me carefully examined, cautioned and sworn to testify the whole truth, and that he signed the said Deposition after the same had been by me, reduced to writing.

I further Certify, that I was not at the time

of taking the said Depositions and that I am not now of Counsel or Attorney to either of the Parties and that I am not interested in the Event of the suit in which the said Deposition is to be read in Evidence.

In Testimony whereof I have hereunto set my hand and affixed my Seal at the City of Baltimore this tenth day of April in the year [illegible] one hundred and thirteen

Costs
$5.00

John Scott
Chief Justice of the [illegible]
of Oyer and Terminer and
Goal Delivery for Baltimore County

John Parker, Henry Parker and David Parker
at suit of
John Woodcock
Deposition

W. S. S.

Deposition of
George King.
Woodcock v Parker
for Parker. Dfts
used May Term 1813
Comm. Court

I Joel Waring of Stamford in Fairfield County and State of Connecticut of lawful age being duly Sworn Do Testify Depose and Say that in the fall of the year 1808. I assisted Major Samuel Barker of the town of Billerica County of Middlesex and State of Massachusetts in making a Machine to Shave or Split Leather The Machine was constructed on the movable principle with a number of knives, which Machine was set up and put in Operation in said town of Stamford the same year, and was afterward sold to Elnathan Todd and William Waterbury of said Stamford, and was afterward by them sold to Colonel Thomas Denny - During the time the Machine was in Building I enquired of said Barker, why Leather could not be Split by one single knife, or a Stationary knife, better than with such a number of knives; Mr. Barker answered me, that a certain man, who he then named; but whose name I now forget - who resided in the State of Massachusetts, had made trial of a Single knife or a Stationary knife, and it was found not to answer his expectations; without first cutting the leather in Slips - otherwise it would be bagging and could not be Split - The Machine Built and put in operation in said Stamford as aforesaid, did not meet the Expectations of said Barker, and those who assisted it, and it was by them given as a worthless thing - In the month of February 1809. Said Barker went from said Stamford, and said that he was going to see his Family in Massachusetts -

The Deponent further says that the general Character of David Lockwood and Daniel Lockwood of said Stamford for truth is not as not as good as that of mankind in general

Joel Waring

Be it remembered that in the town of Stamford in Fairfield County and State of Connecticut May thirteenth one thousand Eight hundred and thirteen personally appeared before Joseph Sillinman one of the Judges of the Court of Common pleas within and for said County, James Seely of Pomfridge in Westcheter County and State of New York, and Joseph Smith Elisha Crabb Israel Jones Jun.r Billy Scofield Stephen Holly Joseph Waring Jared Holly Frederick ~~Holly~~ Ferris Nathan Sherwood Silas Holly John Ingersol Benjamin M. Weed, Benjamin Weed John Auger Stephen Bishop Jun.r Benjamin Scofield Levi Ingersol Nathaniel Mills Levi Provost Abraham Holly and Henry Todd all of said Stamford, and being by me carefully examined and cautioned and sworn according to Law to Testify the truth the whole truth truth, and nothing but the truth - did severally, each one for himself deliver to me, the Depositions to which their names are annexed respectively, having first in my presence Subscribed their names thereto, each one for himself as they now stand, attached to this certificate after the same had been by me reduced to writing by myself

The within and foregoing Depositions are to be improved before the honorable Circuit Court of the United States of America to be holden at Boston within and for the District of Massachusets on the fifteenth day of instant May one thousand eight hundred and thirteen in a Cause or Action pending and to be heard and tryed by said Court wherein John Woodcock of the town of Leicester County and State of Massachusets is Plaintiff and John Parker David Parker and Henry Parker of the town of Billerica County of Middlesex and State of Massachusets are Defendants - The said Depositions were taken at the Request of ~~Thomas~~ Berry - Agent for the Plaintiff - The reason for taking said Depositions are that the Deponents reside more than one hundred miles from the Place of trial, and the reason that the adverse party was not duly notified that they might be present at the taking said Depositions and Cross-examine the Witnesses, are that the said John Parker, David Parker and Henry Parker the Defendants reside more than one hundred mile from the place of Caption

Joseph Sillinman

No 6.

Opened & filed in Court this
20 May 1913 W S Shaw Clk

Philo Gilbert of Newtown in the County of Fairfield and State of Connecticut of lawful age testifies & says that sometime in the month of February A. D. 1809 a certain person that passed by the name of Major Parker was in Newtown in company with Warren B Parmelee of sd. Newtown and boarded with sd Parmelee that he had with him a model for a machine for splitting Leather and learning from said Parker that said Leather was intended on a moveing principle of a knife or knives. I cannot fully describe the Machine but there was a number of rollers & I think four knives, at Parmelees desire I worked as a joiner in Parmelees shop for Parker in constructing a model for another similar Machine, when it was compleated which I think was the latter part of the Month of February he took the Model & one of them I think the one we had been making & went away from Parmelees, with an intention as he informed me of going home to his family somewhere in Massachusetts, about a week or ten days afterwards he returned to Newtown, and informed me that he had been home to his family & found them all well & he also said that in turning the Machine on his way in order to wind it performed or worked some but the last visit I had got broken, he Model came with a crank or handle he also told me at the time I was helping make the Model, he had finished the plan for another model to have two standing pieces with a cross piece, with knives fixed in the underside of the cross piece & made fast to it and the rollers to carry forward the leather, but I saw no draft upon this plan. I further testify that on the 9th of October A. D. 1810 I saw the said Parker in Newtown & he told me he was in a hurry going on to Washington, that a dispute had arisen about the Machine for splitting leather, that the court would set in October & he wanted to get back before court, that he expected a man he called Col. Denny would be at Newtown soon to examine me about the Machine and he wished me not to mention to Denny that he had gone on for he wanted to get to Washington before Denny could get there & further saith not

173. the letters & figures A. D. 1810 were inserted before signing —

District of Connecticut ss. Philo Gilbert

Fairfield County, to. Newtown On the 6th Day of

July A D 1812. Personally appeared before me the subscriber a Judge of the Superior Court, Phile Gilbert of Newtown in said District and after being carefully examined & cautioned made oath to the truth of the within written deposition by him subscribed.

William Edmond a Judge of the Superior Court.

Taken at the request of Thomas Dentry of Leicester in the District of Massachusetts as Agent to John Woodwork of the District of Massachusetts, and to be used in an Action of the Case to be heard & tried at a Circuit Court of the United States to be held at Boston in & for said District of Massachusetts on the Twentieth day of October A D 1812. wherein the said John Woodwork is Plaintiff, and John Parker and Henry Parker and David Parker all of Billerica in said District of Massachusetts are Defendants. The said Phile Gilbert the deponent living more than One hundred miles from the place of trial is the cause of taking this deposition & the said John Parker, Henry Parker and David Parker the Defendants living more than one hundred miles from the place of said trial were not notified and did not attend. Certified &c

William Edmond a Judge of the Superior Court

Philo Gilbert's dep
Woodcock v Parker
No 5

To the Clerk of the Circuit Court of the United States
for Massachusetts District.

The Deposition of Philo Gilbert
taken & sealed with this Clerk Day
of July A.D. 1812 by me

William Edmond a Judge of the
Superior Court

Opened & filed in
Court this 21 October 1812
W S Shaw
Clk

Circuit Court of the United States
for the District of Massachusetts

John Woodcock of Leicester, County of Worcester District of Massachusetts (Comm.
Plaintiff

vs

John Parker, David Parker, Henry Parker of Billerica, County of Middlesex District of Massachusetts
Defendants. Jarmin

The used in an Action of Trespass now Depending
Between the s[d] John, David and Henry, and s[d] Woodcock
the Court Be holden at Boston May 15[th] 1813

Town of Bidford, County of Westchester and State of New York ss:
William H. Sackett of Bidford County of Westchester & State of
New York Physician & lawful age and Good credit being duly
sworn on the holy evangelist of Almighty God doth Depose
and say that in the Month of August 1808, he attended
Washington Todd of Poundridge as his Physician he the
s[d] Todd being very Ill and for some time confined
And when convalescent was some time recovering
and further the Deponent saith not

William H. Sackett

I. Aaron Read one of the Judges of the Court of Common Pleas in and for the County of Westchester, do hereby Certify that on this 30th day of April 1813 Personally came before me, the within Deponent William H. Sackett who after being by me carefully examined cautioned and sworn to Testify the whole truth did deliver and subscribe the Testimony as by him before given after the same was reduced to writing by myself I further Certify that I am not of Counsil a Attorney for either of the parties in the above cause, nor am I Interested in the event of said Cause, and that the reason for taking the above deposition is that the Deponent therein Named resides above One hundred Miles from the place where said Cause is to be tried, and the adverse Party living more than One hundred Miles from the place of Caption was not Notified and that the said Deposition was taken at the request of the Defendant—

Aaron Read

Deposition of
William H. Sackett

WSS

Jonathan Todd of Stamford in Fairfield County
State of Connecticut now of Pomfret in the County of Windham testifies that he the Deponent
in the year 1808 or in the beginning of the year
1809. joind with William Walbridge of said
Stamford in the purchase of a Machine to
Split Leathure, said Machine was made in
said Stamford under the Direction of Samuel
Parker of the Town of Billerica County
of Middlesex & Common wealth of Massachu-
setts, we made Sundrie experiments with
said Machine, untill we were Convinced
that it would not answer the purpose for
which it was Constructed, and we aband-
oned it, as wholly useless, said Parker
informed the Deponent that he had a
Patent right to make use & vend said
Machine, which he obtained in the month
of July preceding. said Machine, was Con
structed on a moveing principal of knives
a Number of knives of oval or rounding towards
the edge
of them, which comes in Contact with the
Leathure, to be split. said knives being set in
a beam in a streit line, wer moved several
several inches across the side of Leathure
back, and forth, as the side of Leathure was
Drawn under them. this mode of Manu
facturing Leathure was continued through
the Latter part of 1808 & first part of 1809
but did not answer our Expectation. & was
wholly abandoned & taken a part

in 1810 William Waning of said Stamford brought forward a Machine on a Different Construction which he S. Waning informed me that he obtained S. Machine from said Parker, which was an improvement of the afore-mentioned Machine, afterward said Parker asked me if I had seen the Machine that S. Waning was using; I told him I had, said Parker then told me, that I might see that he had brought the plan to perfection —

Said last machine was constructed with one knife fixed or Stationary, with Bolts and Screws with a plate of Iron back of the same, placed on Springs, with a tramp or guage that swings over the knife, by Gudgeons fixed in two posts, Said tramp is capable of being raised or lowered to Split the Leather, to any given thickness. — This last mentioned Machine is very different from that first discribed in this Deposition, both in its construction and Operation — The Deponent considers this last discribed machine, as very useful, and an important improvement in the manufacturing of Leather —

Sometime about the first of November 1808. and while the first machine was in Building, the Deponent enquired of said Parker, why a knife fixed, or Stationary, would not answer the purpose of Spliting Leather, better than moveable knives; said Parker replied that the Springing of the knife, and the Bagging of the leather would make holes in the leather as has appeared from Experiment, the leather are greatly injured, but if it could be so secured as to prevent holes being cut thro it. yet the Strain on the Standing leather would be so great as would greatly damage it - or injure it —

And further Saith not

Jonathan Todd

Stamford in Fairfield County October 9th A. D. 1812 -
Personally appeared before me Joseph Lillinan one of the
Judges of the Court of Common Pleas for said County in the
District of Connecticut the within named Ebnathan Todd and after
being carefully examined made solemn Oath to the truth of the
within written Deposition by him subscribed. Taken at the
request of John Woodwork of Leicester in the District of Massachu-
-setts which request was manifested by Thomas Denny Agent to
said John Woodwork, and to be used in an action of the case to be heard
and tryed at a Circuit Court of the United States to be held at Bos-
-ton in and for said District of Massachusetts on the 15th day of
October A. D. 1812 - Wherein the said John Woodwork is Plain-
-tiff, and John Parker and Henry Parker and David Parker all
of Billerica in said District are Defendants. The said Ebnathan
Todd the Deponent living more than One hundred miles from
the place of Trial is the reason or cause of taking this Deposition
And the said John Parker Henry Parker and David Parker the
Defendants living more than One hundred miles from the place
of Caption was not notified and did not attend.

Taken Sworn and Certified by me
Joseph Lillinan one of the Judges of the Court
of Common Pleas for Fairfield County
in the District of Connecticut -

in 1810 William Waring of said Stamford brought forward a Machine on a Different Construction which he S. Waring informed me that he obtained S. Machine from said Parker, which was an improvement of the afore-mentioned Machine, afterward said Parker asked me if I had seen the Machine that S. Waring was using; I told him I had, said Parker then told me, that I might see that he had brought the plan to perfection —

Said last Machine was constructed with one knife fixed or Stationary, with Bolts and Screws with a plate of Iron back of the same, placed on Springs, with a tramp or guage that swings over the knife, by Gudgeons fixed in two posts, Said Tramp is capable of being raised or lowered to — Split the Leather, to any given thickness. — This last mentioned Machine is very different from that first described in this Deposition, both in its construction and Operation — The Deponent considers this last described machine, as very useful, and an important improvement in the manufacturing of Leather —

Some time about the first of November 1808. and while the first machine was in Building, the Deponent enquired of said Parker, why a knife fixed or Stationary, would not answer the purpose of Spliting Leather, better than moveable knives; said Parker replied that the Springs of the knife, and the Bagging of the leather would make holes in the leather as has appeared from Experiment. the leather to be so secured as to prevent holes being cut thro' it yet the Strain on the Standing leather would be so great, as would greatly damage it or injure it —

And further Saith not

Jonathan Todd

Stamford in Fairfield County October 9th A. D. 1812 -
Personally appeared before me Joseph Sillinman one of the
Judges of the Court of Common Pleas for said County in the
District of Connecticut the within named Ebnathan Todd and after
being carefully examined made solemn Oath to the truth of the
within written Deposition by him subscribed. Taken at the
request of John Woodcock of Leicester in the District of Massachu-
-setts which request was manifested by Thomas Denny Agent to
said John Woodcock, and to be used in an action of the case to be heard
and tryed at a Circuit Court of the United States to be held at Bos-
-ton in and for said District of Massachusetts on the 15th day of
October A. D. 1812 - Wherein the said John Woodcock is Plain-
-tiff, and John Parker and Henry Parker and David Parker all
of Billerica in said District are Defendants. The said Ebnathan
Todd the Deponent living more than One hundred miles from
the place of Tryal is the reason or cause of taking this Deposition
And the said John Parker Henry Parker and David Parker the
Defendants living more than One hundred miles from the place
of Caption was not notified and did not attend.

Taken Sworn and Certified by me
Joseph Sillinman one of the Judges of the Court
of Common Pleas for Fairfield County
in the District of Connecticut -

Jonathan Todd
Woodcock & Parker
1

Opened & filed in
Court this 24 Oct 1818
Wm S Shaw
Clk

To the Clerk of the Circuit-Court
for the district of Massachusetts

Maryland District, Baltimore County Set.

John Woodcock, Plaintiff (of Leicester in the Massachusetts District) against John Barber, Henry Barber and David Barber, Defendants (of Billirica in the same District) } Action depending in the Circuit Court of the United States to be held at Boston for the Massachusetts District on the twentieth day of October Eighteen hundred and twelve

The Deposition of Richard Hey Heath, Esquire of the County of Baltimore in the Maryland District, of lawful age, a witness produced on the behalf of the Plaintiff, in the above cause, who being cautioned and sworn to testify the whole truth in the above cause deposeth and saith, that in the spring of the year eighteen hundred and nine, Major Samuel Barber of Billirica in the Massachusetts District, contracted to build him a machine or machines for the purpose of splitting, graining and consolidating leather, for which he produced his Patent from the Government of the United. He commenced the work united the whole in one machine, completed the part for consolidating and nearly all the other parts. The part finished would not answer the purpose and Deponent declined making any further advances to him under an impression, that if finished, it was too complicated ever to answer; upon which he left this place and the machine has never since been finished. The knife or knives were notched on the edge (for there were two or three pieces all to be united on one beam so as to form one knife) were to move horizontally by means of a spiral groove in a cylinder turned by a crank with cog wheels. There was a person by the name of Southgate in Baltimore in the year Eighteen hundred and ten with a machine for splitting leather said by

by him to have been invented by a person of the name of Woodcock, which appeared to Deponent from the accuracy with which it moved, the simplicity and strength of its construction would be very useful, but Deponent never saw it operate upon leather. Deponent never saw any other machine, than those above mentioned for the purpose of splitting leather, except one constructed by a man of the name of Bent, which did not appear to him (altho Deponent saw it operate upon leather) to be of any value. Sworn and Subscribed to before me this tenth Day of July in the year Eighteen hundred and twelve at my office in the City of Baltimore, in the Maryland District.

John Scott
Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County

Subscribed
Richd Key Heath

City of Baltimore, Maryland District.

I hereby certify that the aforegoing deposition of Richard Key Heath Esquire a witness produced on the part of John Woodcock, the Plaintiff in the above cause was taken before me John Scott, Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County, because he the said Richard Key Heath at the time of taking the said Deposition was a resident of Baltimore County in the Maryland District and now lives at a greater distance than One hundred miles from the place of trial.

I further certify that no notification to the adverse party, to be present at the taking of the said Deposition to put interrogatories, if they should think fit, was made or served, either upon the said party or his attorney, neither being within One hundred miles of the place of caption of the above Deposition

I further Certify that the said Witness was by me carefully examined, cautioned and sworn to testify the whole truth and that he signed the said Deposition after the same had been by me reduced to writing.

I further Certify that I was not at the time of taking the said Deposition and that I am not now of Counsel or Attorney to either of the Parties and that I am not interested in the event of the suit, in which the said deposition is to be read in Evidence.

In Testimony whereof I have hereunto set my hand and affixed my seal at the said City of Baltimore this tenth Day of July in the year Eighteen Hundred and twelve

Costs $5.00

John Scott

Chief Justice of the Court of Oyes and Terminer of Baltimore County

Richard Hey
Woodcock vs Parker
No 3

Opened & filed in Court
this 21 Oct 1812
Wm S Shaw
Clk

State of New York Worcester County ss: Elnathan Todd of Dudley in the County & State aforesaid farmer of lawful age and of good repute first being duly sworn on the holy evangelist of almighty God doth depose and say that sometime in the Month of August 1808. Samuel Parker of Billerica County of Middlesex and Commonwealth of Massachusetts, came in to the Town of Plumpond where he this deponent then resided and after advising with divers Persons in s^d Neighbourhood he the said Samuel Parker began and erected a Machine for splitting & shaving sheep skins & leather and for extending and consolodating leather & the used both together or split as occasion and that he this deponent did actually see the s^d Machine in its operation of splitting leather & saw the leather after it was split which was before November and that he together with William Waterbury & 4 other persons of Plumpond did practice s^d Machine & the Patent right for using the same in but that he this deponent did not use s^d Machine neither did he know of any other person using the same but that it was taken down & from his knowledge but not again and further the Deponent saith not

Elnathan Todd

Sworn & subscribed this 19th day of July 1811 before me Abner Reed one of the Judges of the Court of Common Pleas within & for the County of Worcester

State of New York West Chester County ss: Personally appeared
before me Aaron Read one of the Judges of the Court of
Common Pleas in & for s^d County of West Chester. the
Deponent Jonathan Todd. who has signed the above
Deposition who was examined and sworn agreable
to Law to the above Deposition written by myself and
subscribed by s^d Deponent. which Deposition was
taken at the request of John Porter esq^r. David Porter
and Henry Porter Jarmus (or Jarvis) all of Salem in
the District of Massachusetts, and Plaintiffs in an Action
of Trespass on the Case now depending between them
the s^d John, David, and Henry and John Woodcock
of Leicester of the United in the District afores^d Coal Maker
and a Citizen of the United States before the Judges of
the Circuit Court of the United States for the first Circuit
Adjourn^d to be holden at Boston within and for
the District of Massachusetts on the 15^th of Instant
July. And the Aforesaid Party living more than one
hundred Miles from the Place of Trial in the
Cause (as is represented) of taking this Deposition
Witness my hand this 12^th day of July 1811.

Aaron Read

Elnathan Todds
depos
Woodcock vs Parker

Opened & filed in
Circuit Court this
4th July 1811 - W S Shaw
Clk

Lois Parmelee of Newtown in the County of Fairfield & State of Connecticut of lawful age testifies & says that in the Month of February A.D. 1809 a man by the name of Samuel Parker, as he called himself, or Major Parker as he was called by others, and who said he belonged to Billerica in Massachusetts, boarded for sometime with my husband Marcus B. Parmelee, and was at work at a model for a machine to split Leather; that in the latter part of said Month of February he went away from our house and said he was going home to his family and about a week or ten days after he went away he returned again to our house, said he had been home, that his Sister was married, he tarried after his return to our house only one night, said he was going from there to North Stamford to one Waterings, and from there was going on to the City of Washington & further the Deponent saith not.—

Lois Parmelee

District of Connecticut ss.

Fairfield County in Newtown. On the 6th Day of July A.D. 1812.

Personally appeared before me the subscribes a Judge of the Superior Court Lois Parmelee of Newtown in said District and after being carefully examined and cautioned made solemn Oath to the truth of the foregoing Deposition by her subscribed.—

William Edmond a Judge of the Superior Court

Taken at the request of Thomas Dennie of Leicester in the District of Massachusetts as Agent to John Woodcock of the District of Massachusetts, and to be used in an action of the case to be heard & tried at a Circuit Court of the United States, to be held at Boston in and for said District of Massachusetts on the twentieth day of October A.D. 1812, wherein the said John Woodcock is Plaintiff & John Barber Henry Parker and David Parker all of Billerica in said District of Massachusetts are Defendants. The

said

Lois Pennelle the Deponent living more than one hundred miles from the place of trial is the cause of taking her Deposition, and the said John Carter Henry Parker and David Parker the Defendants living more than one hundred miles from the place of caption were not notified and did not attend. Certified &c

William Ethridge a Judge of the Chancery Court

Louis Parmele
Woodcock vs Parker

No 4

To the Clerk of the Circuit Court of the United States
for Massachusetts District

The Deposition of Lois Parmele
taken & sealed up this twelfth day of July
A.D. 1812 by me

Withington Edmonds a Justice of the
Supreme Court

Opened & Filed in
Court this 21 Oct 1812
W S Shaw
Clk

About the first of January 1809. in conversation with ~~William~~ Samuel Parker, after seeing the Operation of the first mentioned Machine, I told said Parker that the number of knives would destroy or injure the leather; and my Opinion was, that nothing could be done, except with one single knife: — Parker replied that a single knife would not do; for that the Springing of the knife would be so great as to intirely destroy the leather — The Deponent knows of no other Machine than the two mentioned in this Deposition, or the model of any other, for Splitting leather —

William. Waterbury 4th

Stamford in Fairfield County State and District of Connecticut. On the 9th day of October A. D. 1812. Personally appeared before me Joseph Sillimon one of the Judges of the Court of Common Pleas for said County, the within named William Waterbury 4th of Stamford aforesaid and after being carefully examined made solemn Oath to the truth of the within written deposition by him subscribed, Taken at the request of John Woodcock of Leicester in the District of Massechusetts which request was manifested by Thomas Denny Agent to said John Woodcock, and to be used in an action of the case to be heard and tryed at a Circuit Court of the United States to be held at Boston in and for said District of Massechusetts on the 15th day of October A. D. 1812. wherein the said John Woodcock is Pltff, and John Parker and Henry Parker and David Parker all of Billerica in said District are Defendants — He the said William Waterbury 4th the deponent living more than one hundred miles from the place of trial is the cause of taking this deposition and the said John Parker Henry Parker and David Parker the Defendants, living more than one hundred miles from the Place of Caption, were not notified and did not attend — Taken Sworn and Certified by me

Joseph Sillimon one of the Judges of the Court of Common Pleas for Fairfield County in the district of Connecticut —

William Waterbury 4th of Stamford in Fairfield County and State of Connecticut of Lawful age being sworn according to law, made solemn Oath that sometime in the year 1808, or the beginning of the year 1809 he joined one Elnathan Todd then of said Stamford, in the purchase of a machine to split leather; said Machine was made in said Stamford under the direction of Samuel Parker, of the town of Billerica County of Middlesex, and Commonwealth of Massachusetts; We made a nicety experiment with it, until we were convinced that it would not answer the purpose for which it was constructed, and we abandoned it; as wholly useless — Said Parker informed the Deponent that he had a patent-right to make use and vend said machine, which he obtained in the month of July preceding — Said machine was constructed on a moving principle of knives; a number of knives oval or running toward the edge of them that came in contact with the leather to be split, and said knives being in a straight line, were moved several inches across the side of leather, backward and forward, as the side of leather was pulled or drawn under them — This mode of manufacturing leather was continued thro the fall months of 1808 and perhaps till some in the spring months of 1809. but did not answer the expectations of those who occupied it, and was wholly abandoned soon after, and taken to pieces. ~~This Machine failing in its operation, & no injury to the property and Business of said William Waring who at the time occupied it under the direction of said Samuel Parker.~~ — In the summer of 1810, William Waring of said Stamford procured a Machine on a different construction ~~which said William said was given him by said Parker to indemnify~~ Said last machine was constructed with one knife fixed or stationed with Bolts and screws, with a plate of Iron back of the same placed on springs with a tramp or guage that swings over the knife, by gudgeons fixed in two posts, said tramp is capable of being raised or lowered to split leather of any given thickness — This last mentioned Machine is very different from that first described in this Deposition both in its construction and Operation and the Deponent considers said last described Machine as a very useful and important improvement in the manufacturing of leather — The Deponent knows said William Waring occupied the first described Machine under the immediate direction of said Samuel Parker, and said William informed the Deponent that he occupied the last described one also under said Parker's authority as perfecting his invention — and that it fully answered his expectation — ~~and~~

Wm Waterbury Esq
Woodcock vs Parker
No 2.

Opened & filed in Court
this 21 Oct 1812
W S S.

I, the Clerk of the Circuit Court
for the District of Massachusetts

Maryland District, Baltimore County, Set.

John Woodcock, Plaintiff (of Leicester in the Massachusetts District)

against

John Barker, Henry Barker and David Barker, Defendants (of Billerica in the same District)

Action depending in the Circuit Court of the United States to be held at Boston for the Massachusetts District, on the Fifteenth Day of May, Eighteen hundred and thirteen.

The Deposition of Ferdinand Hook of the County of Baltimore ~~County~~, in the Maryland District of Lawful age, a witness produced on the Behalf of the Defendants in the above cause, who being cautioned and sworn to testify the whole truth in the above cause, deposeth and saith, That about the first of May, Eighteen hundred and nine, Richard Hiss Heath Esquire of Baltimore County, applied to him to board Samuel Barker of Billerica, County of Middlesex, in the District of Massachusetts ~~District~~ and to tell one George King, a Carpenter, who was then at work for Deponent, go to work for him and build Machines for spilling, consolidating and finishing Leather under the direction of the said Samuel Barker, to which Deponent agreed, and said King, soon went to work, to build said Machines, but did not finish either of ~~them~~ said Machines, before said Samuel Barker, requested Deponent, to take said King, from the work, and not to finish said Machines until he the said Barker had refunded the Money, the said Heath had advanced to build said Machines. Deponent accordingly took said King from the work. The next winter said Barker, returned and paid the money to Mr. Heath, which had been advanced but did not stop to finish said Machines, neither has he or any other person ever finished them.

Sworn and Subscribed to, Before me this tenth Day of April, Eighteen hundred and thirteen at my office in the City of Baltimore in the Maryland District

John Scott, Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County

Subscribed

Ferdinand Hook

City of Baltimore, Maryland District.

I hereby Certify, That the aforegoing Deposition of Ferdinand Hook, a witness produced on the Part of John Barker, Henry Barker and David Barker the Defendants in the above cause, was taken before me John Scott Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County. Because he the said Ferdinand Hook, at the time of taking the said Deposition was a Resident of Baltimore County and now lives at a greater distance, than One hundred miles, from the place of trial.

I further Certify, That no notification to the Adverse Party, to be present at the taking of the said Deposition, to put Interrogatories, if he should think fit was made or served either upon the said Party or his Attorney, neither being within One hundred miles of the place of caption of the above deposition.

I further Certify, That the said Witness was by me carefully examined, cautioned and sworn to testify the whole truth and that he signed the said Deposition after the same had been myne reduced to writing.

I further Certify, That I was not at the time of taking the said Deposition and that I am not now of Counsel or Attorney to either of the Parties and that I am not interested in the Event of the suit in which the said Deposition is to be read in Evidence.

In Testimony whereof, I have hereunto set my hand and affixed my Seal, at the said City of Baltimore, this tenth Day of April, in the year Eighteen hundred and thirteen

Costs
$5:00

John Scott
Chief Justice of the Court of Oyer and Terminer and Goal Delivery for Baltimore County

John Barber Henry Barber and David Barber

a Suit of

John Woodrock

Deposition of

Ferdenand Hook

W. S. S.

State of New York West Chester County ss: Isaac Aynes of
Stamford in the County of Westchester and State of Connecticut
farmer of lawful age and of good repute first being duly
sworn on the holy evangelist of Almighty God doth
depose and say that sometime in the Month of
August 1808 Samuel Parker of Billerica, County
of Middlesex and Commonwealth of Massachusetts
came in to the Town of Stamford where he the
deponent then does now reside and after
advising with divers persons in s: Neighbourhood
he the s: Samuel Parker began and erected a
Machine for splitting or shaving skins or leather
and for extending and Consolodating leather to
be used both together or separate as aforesaid
And that he the deponent did Actually see the s:
Machine in its Operation of splitting leather and
saw the leather after it was split which was in the
same season & before the November following
And the deponent further says that he saw some
leather Boot legs which was very well split by
s: Machine And further the deponent saith not

Isaac Aynes

State of New York Westchester County ss: Personally appeared before me Aaron Read one of the Judges of the Court of Common Pleas in and for the County of West Chester the Deponent Isaac Ayres who has signed the above Deposition who was examined and sworn Agreable to Law to the above deposition, written by myself and subscribed by the Deponent, which Deposition was taken at the request of Jn. Parker Esq. David Parker and Henry Parker Jannus (~~Builders~~) all of Bellerica in the District of Massachusetts and to be used in an Action of Trespass on the Case now depending between them the s. John, David, and Henry and John Woodcock of Leicester in the District aforesaid Card Maker and a Citizen of the United States. before the Judges of the Circuit Court of the s. United States for the first Circuit Adjourned to be holden at Boston within and for the s. District of Massachusetts on the 15th of Instant July, And the Adverse party living more than one hundred Miles from the place of Trial. in the Cause (or interested) of taking this deposition. Witness my hand at this 12th day of July 1811.

Aaron Read

Isaac Ayers dep

Woodcock vs Parker

Opened & filed in
Court this 16 July 1844
W P Shaw
Clk

Circuit Court of the
United States for the
District of Massachusetts

John Woodcock
vs
John Parker David Parker
and Henry Parker

I Daniel Lockwood of Stamford in Fairfield County and State of Connecticut Farmer, of lawful age, being duly Sworn, Depose and say that I was at the Tan yard of William Waring of said Stamford, in the year 1808 - about the month of October, when and where, I saw Samuel Parker, of the town of Billerica, County of Middlesex and State of Massachusetts, and with him a Machine for spliting Leather - in which said Parker, had Split some Leather for said Waring, and had finished the same - The Leather appeared very nice - I bought some of it for Shoes, and also some for Shoe-Binding which proved as good, as any leather that could be bought for the same purpose - Said Parker asked me what such shoe-binding was worth, I told him, that leather as nice as that was, was worth one Shilling pr. anne, for any Quantity. - I having a Curiosity to examine said Machine, said leather was Split in, Said Parker shewed and explained the operation to me; both on the moving, and on the Stationary Principles, and told me that he had invented and used a machine as much as eight or ten years before, on the Stationary principle - I further depose and say, that I was at said Billerica in June 1811. and was at the Tan-yard of the Defendants in said cause, when and where I saw the same Machine which is in dispute, for Spliting Leather, which said Woodcock Claims as his Invention, and saw said Machine operate, and on examination found, it contained the same Principles, that said Parker shewed me, by the operation of said Machine at Stamford in the year 1808. Also the same that said Parker told me, at the same time, in 1808. he had invented, and used as much as eight or ten years before - I further depose and say that at or about the same time, said Parker shewed me said Machine, Said Parker pointed out an Omission in his Patent, in securing a Stationary knife, and said, if he had the money with him, he would go the Patent Office, before he went home, and secure it, by taking out another Patent - Said Parker afterwards told me, that he had concluded to go home and see his Family, and if they were all well, and the travelling held good, he should return in two or three weeks, at farthest, and should go immediately on his return, to the Patent Office and secure the Stationary knife - Said Parker accordingly, did return within the time appointed, and after spending a bout a week or two at said Stamford, he Started as he then said, for the Patent Office - I further say that that said machine built in 1808, was sold to William Waterbury 4th of Stamford, and Elnathan Todd, about the first of Novbr 1808. - And in the winter following I heard Todd say that a Machine could be built on the same principle, that would split a Bladder three times. And further the Deponent saith not

Daniel Lockwood 3

I Joseph Sillimon one of the Judges of the Court of Common Pleas in and for Fairfield County in the State of Connecticut, Do hereby certify that on the 21st day of April A. D. 1813. in the town of Stamford in said County, personally came before me, Daniel Lockwood, the within named Deponent, who after being by me carefully examined, and cautioned, and sworn according to Law, to testify the truth the whole truth, and nothing but the truth. Did subscribe and deliver the Testimony by him given as within Written, after the same was reduced to Writing by myself - I further certify that I am not of Counsel, or Attorney for either of the Parties in the above Cause or Action, nor am I interested in the event of said Cause. And that the reason for taking the within written Deposition is that the Deponent resides more than one hundred miles from the place, where said cause is to be tried. And the reason that the adverse party was not notified to be present at the taking of said Deposition, is that the place of Caption is more than one hundred miles from the place of the Plaintiffs Residence - I further certify that this Deposition was taken at the request of the Defendants - And to be improved before the Hon.ble Circuit Court of the United States to be holden at Boston in the District of Massachusetts in the month of May A. D. 1813. In an action pending before said Court wherein John Woodcock of the town of Leicester, County of Worcester and State of Massachusetts is Plaintiff and John Parker David Parker and Henry Parker of the town of Billerica County of Middlesex and State of Massachusetts are Defendants -

Joseph Sillimon

Deposition of
Daniel Lockwood

U.S.D.

Dept. of State Patent office 23d June 1812

I certify that the model to which this is appended was copied from one in the Dept of State & is certified by the Sec. of State, and that the same is surrounded by red Tape, and the ends of the Tape inclosed herein to which I affix my common seal, being an Atlas.—

Wm Thornton

Rec in board this 21 May 1813
W S Shaw Clk

WSS

MASSACHUSETTS *DISTRICT, ss.*

The President of the United States of America

To the MARSHAL *of our District of* MASSACHUSETTS, *or his Deputy*—GREETING.

WE command you to attach the goods or estate of John Parker Esquire David Parker and Henry Parker Farmers all of Billerica in our District of *Massachusetts*, and [illegible] to the value of Ten thousand dollars, and for want thereof to take the bodies of the said John David & Henry (if they may be found in your District) and them safely keep, so that you have them before our judges of our Circuit Court of said United States for the first circuit next to be holden at *Boston*, within and for our said District of *Massachusetts*, on the Seventh day of June next: Then and there, in our said court, to answer unto

Salem Woodcock [illegible] in the District aforesaid Cordwainer and a Citizen of the United States aforesaid [illegible]

in a plea of case for that whereas certain letters patent under the seal of the United States of America to the Secretary of State bearing test by the President of the United States and bearing date on the eighth day of January in the year of our Lord eighteen Hundred and nine were granted unto the said Salem Woodcock for the term as therein expressed of fourteen years from the said eighth day of May granting and securing unto him the said Salem Woodcock his heirs executors Administrators or assigns the full and exclusive right and liberty of making constructing using and vending to the use a certain new and useful improvement being a machine for splitting Leather Skins; Of which machine the description is in substance as follows viz The Bed of the machine is supported by four feet on the Bed is fixed a knife secured by screws; On the opposite side is fixed a plate secured by screws which are drawn all by pressure and so Constructed as to split the Leather of any thickness On one side of the Bed is fixed a Cylinder with an aperture for the Leather to pass through the Cylinder being turned by a wind lass and the Leather intended to be split being fixed in to the aperture of the Cylinder is drawn against the edge of the knife and kept in the proper place by an iron Guage fixed with two pegs on the bed of the machine which is regulated by screws beneath the Cylinder and Screws above of the Leather to be split is secured under a Roller each end of which passes through two Standards placed on the Bed of the machine And the said Woodcock does then and there the true and original Inventor of the said machine and Leather entitled to the same Patent and hath ever since continued to the present time of — claim the said Woodcock saith that the said John Parker David and Henry being in no wise ignorant of the premises but contriving to defraud him and deprive him of the benefit of his said Patent afterwards to wit at Billerica aforesaid from the tenth day of September in the year of our Lord eighteen hundred and ten unto the day of the purchase of this Writ without the consent of the said Woodcock or of his assigns the Patentee aforesaid did use and imploy and machine Constructed as aforesaid the exclusive right whereof was secured to him the said Woodcock in manner aforesaid By reason whereof and by force of the Statute in such case made and provided they the said John David and Henry have forfeited and become liable to pay to the said Woodcock the Patentee as aforesaid a sum equal to three times the actual Damage sustained by him from or by reason of said Offence And the said Woodcock avers that the sum of Ten thousand Dollars is a sum equal to three times the actual damage aforesaid which sum they the said Defendants have forfeited and become liable to pay to the Plaintiff as aforesaid Yet tho' though they have had the notice and thought often requested they nor either of them have never paid the same to the Plaintiff nor any part thereof but neglect and refuse so to Do.

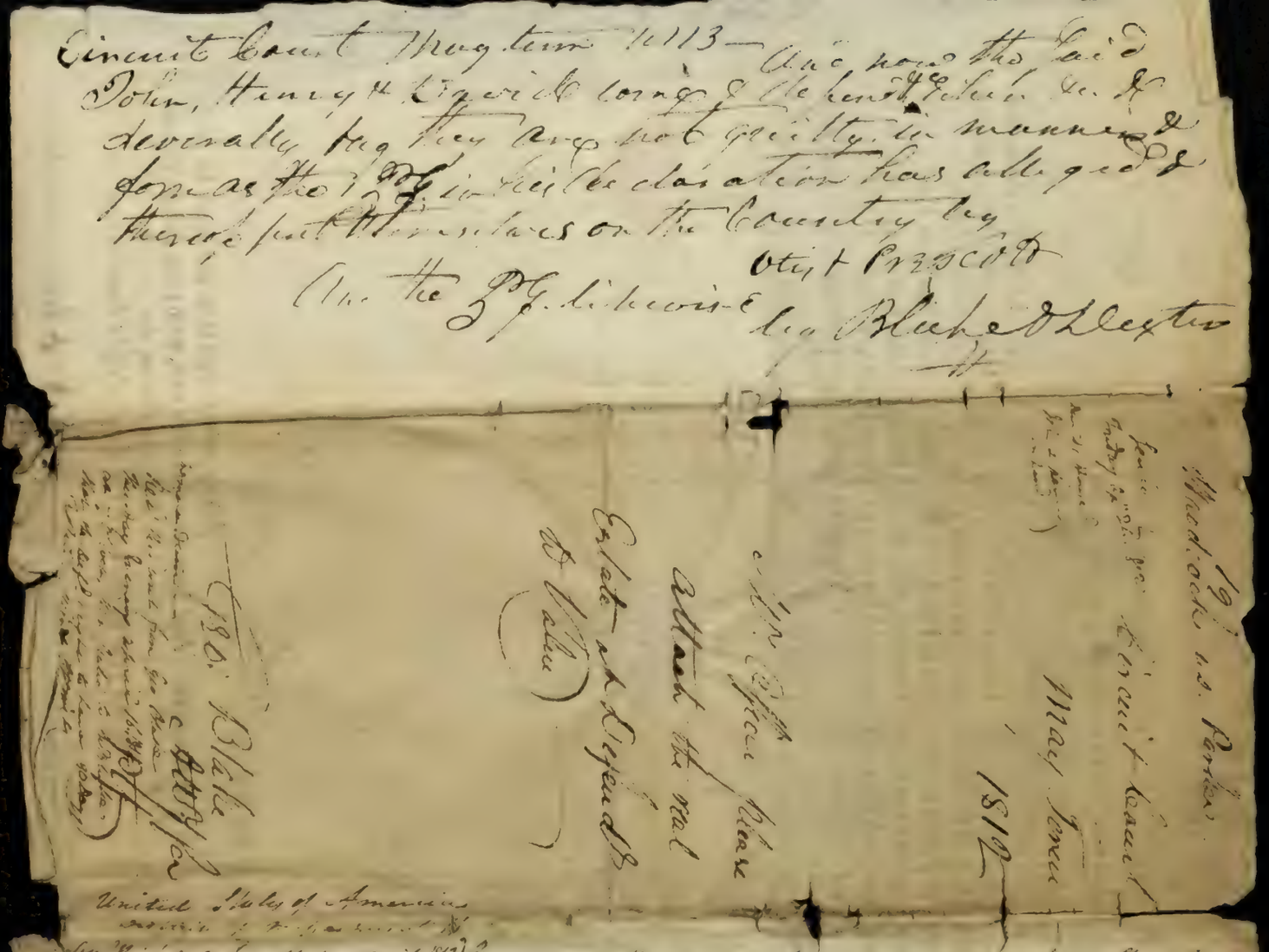
To the damage of the said John Wadcock
the sum Ten thousand dollars, which shall then and there be made
to appear, with other due damages. And have you there this writ, with your doings therein.
Witness the Hon. John Marshall Esq ; at *Boston*, the fifteenth
day of April in the year of our Lord *one thousand eight hundred and* twelve

W. S. Shaw *Clerk.*

Circuit Court May term 1813 — And now the said John, Henry & Tyler & George & Leonard Parker &c. severally by their Atty not guilty in manner & form as the 2nd Plea in their declaration has alleged & thereof put themselves on the Country &c.

Otis & Prescott

And the Dft. likewise &c. Black & Lester


Woodstock ss. Parker
May Term
1812
Estate attached
Black
Dft.
Pltf.
Plea
Parker
Bilboa
Parker
Parker
Parker

was not originally invented or discovered by the Plt but ~~was known~~ had been in use and actually used by said Samuel Parker anterior to the Plts supposed discovery thereof.

4th That the machine described in the Plts writ was originally invented and discovered by the said Samuel Parker and that the Plff afterwards surreptitiously obtained a patent therefor.

3. That the description of said machine annexed to said patent is imperfect loose and inaccurate and the explanation of the principles thereof and the modes in which the supposed inventor contemplated the application of the same is vague ambiguous and imperfect so that the same cannot be distinguished from other inventions

~~Sept 20 1844~~ ~~R. Carroll~~ Atty for

6 That the said machine was invented by ~~him~~ Parker said Samuel Parker and made public anterior to the plaintiffs supposed discovery thereof.

~~A true copy Attest Wm L Law Clk~~

6

That the machine described in the plaintiffs ~~declaration~~ consists of a machine ~~before~~ invented and in use anterior to the time ~~of his~~ he is supposed to have invented said machine first mentioned and an addition or improvement to the same, and that ~~if~~ if any part of the machine first mentioned were invented by ~~him~~ self it was such addition or improvement ~~only~~ and not the whole machine.

I acknowledge a copy of the above notice was given to me thirty days previous to the setting of the Court above mentioned — P.C. Black Atty for Plaintiff

Notice
Woodcock v Parker, 1 Wall. Jr. 293

1878

Moved that ~~the~~ the Jury be instructed that if they for splitting leather
are satisfied that all the machines which had been
devised by Samuel Parker prior to the invention of the
Plaintiff in October 1808 had been found in experi-
ment to be incompetent to produce the intended effect or any other useful
and had been on that account abandoned by said
Parker as useless and of no value; then that it was
lawful for ~~the~~ the plaintiff to introduce into the ma-
chine constructed by him any parts of the machine parts
so abandoned and that by combining with such
a new and original improvement of his own
and thereby forming a useful machine capable of produ-
cing valuable and beneficial effects became entitled
by the Statute of the United States in such case made
and provided to a patent for the entire ~~and~~
machine as his own original Invention

Geo: Blake
Atty for Plaintiff

This motion was offered to the Court while
the Judge was charging the jury W S Shaw Clk

21 May 1813

Woodcock vs. Parker.

Bill of exceptions —

Filed in Clks. off. May 27. 13
5 O clock P M — W. S. Shaw
Clk.

1. Was Parker the original inventor of the whole machine, for which Woodcock obtained his patent?

2. Was Woodcock the inventor of an improvement only upon a machine originally invented by Parker?

United States. Massachusetts District.

John Woodcock Vs John Parker Esqr. et al

Notice of the Special matter which the said Parkers intend to give in evidence on the trial of the issue in the above action at the Circuit Court to be holden at Boston within and for the District of Massachusetts on the ~~fifteenth~~ day of October next.

That letters patent duly issued in the name of the United States by the Secretary of State bearing test by the President of the United States and dated the 26th day of April A.D. 1809 were granted to Samuel Parker of Billerica in said District and his assigns for the term of fourteen years granting and securing to him and them exclusive right and liberty of making constructing using and vending a certain new and useful improvement being a machine for currying and finishing leather of all kinds secured to him by said patent dated July the 9th 1808 and that said Samuel afterwards duly assigned one half the right secured to him by said patent to James Abbot Esq. and Elijah Chamberlin who afterwards with said Samuel duly assigned to the said David Parker and Henry Parker the right of making using and vending such machine within the County of Middlesex excepting certain towns therein and that during the time mentioned in said writ they did use a machine invented and discovered by said Samuel whereof the exclusive right was secured to him and his assigns by said patent as aforesaid and not any other or different machine, and that said John Henry and David have never jointly nor the

said John alone used the machine described in the Plts writ.

2. That Letters patent issued and tested as aforesaid and bearing date the 9th of July 1808 were granted to said Samuel and his assigns for the term of fourteen years granting and securing to him and them the exclusive right of constructing using and vending to others to be used a certain new and useful improvement in currying and finishing leather being a machine, and afterwards the Letters patent in this notification first mentioned were issued granting and securing to said Samuel and his assigns the exclusive right of making using and vending to others a certain improvement in currying and finishing leather of all kinds secured to him by said patent dated July 9. 1808 being an improvement of the machine therein described or the principle thereof. And that said Samuel afterwards duly assigned one half of the right secured to him by the said patent to James Abbot Esq & Elijah Chamberlin who afterward with said Samuel duly assigned to said Henry and David the right of constructing and using said machine with the improvements aforesaid secured to him by the patents aforesaid within the County of Middlesex excepting certain towns therein and that during the time mentioned in the Plts writ they used the machine invented and discovered by said Samuel and the right to which was secured to him by the patents aforesaid and not any other or different machine and that the said John David and Henry have never jointly nor the said John alone used the machine described in the Plts writ

3. That the machine described in the Plts writ

Woodcock
vs
Parkes 3

filed in Court this
12 June 1812

Which instructions the Court refused to give - among other reasons because ~~the Plff was not entitled~~ considering the facts & circumstances which remained uncontroverted, the question proposed by the Plff Counsel was an abstract question - there being no evidence of an abandonment of his invention by the said Samuel - but on the contrary ~~the Jury~~ found that he had followed up his invention and obtained a patent therefor before the Plff - and further that there was no evidence to prove that the machines invented by said Davis were ~~used~~ - ~~but that the Plff was entitled~~ his ~~claim~~ compelled to produce the intended or any other useful effect, the evidence so far as any was in the case being directly the other way -

And the Judge then in summing the case to the Jury did direct them as follows - That the original inventor is ~~to the benefit~~ entitled to the benefit of his invention if he obtain a patent therefor, and that a subsequent inventor cannot by obtaining a patent ~~for~~ for the first inventor of his right or maintain an action against him for the use of his own invention - That as it was conceded that the Plff ~~was not the first inventor~~ ~~of the machine~~ claimed their right to use the machine by a good derivative title from Samuel Parkes, if the Jury were satisfied that the said Samuel was the original inventor of the ~~Plff's~~ machine ~~claimed~~ patented by the Plff the present action could not under the circumstances be maintained - That per ~~the~~ ~~his~~ ~~Counsel~~ as certain by this fact, it would be necessary to examine in the first place the testimony of Stones & Sinclair & Stearns - That if ~~they~~ ~~fully~~ ~~believed~~ the testimony of the said Stones & Sinclair & Stearns ~~as~~ stated by them taken in connexion with the patent obtained by the ~~Plff~~ said Samuel were sufficient to ~~show~~ shew that the said Samuel was the first & original inventor of the machine & the Plff's right of action was completely defeated -

And the said Judge further directed the Jury that if the machine for which the Plff obtained his patent was substantially existed before, & he only made an improvement thereon, then he could only be entitled to a patent for the improvement and not for the whole machine - and in such case as his patent was admitted to be for the whole machine, it was too broad & therefore void & the Plff not entitled to recover -

that it was not necessary to avoid the Pitts patent that the identical machine should exactly in every respect same exist before per a mere change of form or of proportions would not entitle the Pitts to a patent. If he claim a patent for a machine it must be in substance a new machine, that is it must be a new mode, method or application of mechanism to produce some new effect or to produce an old effect in a new way. That in the present case if all parts of the machine, existing before (except the spring plate) & were applied to produce the effect in the same manner, except the spring plate, was the invention of the Pitts & nothing more his patent ought to have been confined to that, and not have been for the whole machine. &

Whereupon the Counsel for said Broadnax did then & there, in his behalf, except to the aforesaid directions & opinion of the said Judge, in matters of law, but the case being left to the Jury with the said directions, the said Jury did (upon which) find a general verdict & not guilty in favor of the Defendants — And, inasmuch as the said matters so excepted to by the Counsel for the said Broadnax do not appear by the record of the proceedings — the said Broadnax prays that the said exceptions to the directions of said Judge, may be signed & sealed upon & annexed to the said record to make it a bill of exceptions —

The same being conformable to the truth I have to annex my hand & seal — at said circuit court — —

Joseph Story
Associate Justice
of the Supreme Court
of U. S.

That said Abbott had a knife about eleven inches long which he thought would answer to make experiments with, tho' a little too long as would be convenient & as said Parker proposed to have in a full sized machine, they made use of it instead of waiting for a longer one to be made— That the said machine so constructed by said Abbott operated with a stationary knife moveable gauge & a wooden clasp the spring and with rollers - and was in all respects the same in principle & in operation as the Defts patented machine which the witnesses was shown to in open court when they gave their testimony. The same witnesses further testified that a whole side of leather was split at once in said Parker's said machine & several experiments were tried by them with it— The first side of leather was cut & injured, but upon altering the gauge, they split the other sides without cutting or injuring them making a great saving of time & labour, as well as saving of the leather so split off— Not having time to complete the whole part to secure the leather to the rollers, although the form of it was presented by said Samuel they in making these experiments they drew the leather over the rollers with their hands— They further testified that they considered the machine a very useful invention and that the said Samuel claimed it as his own, and declared his intention to procure a patent for it— as he considered it very valuable— They further testified That the said Samuel requested the said Abbott to make him a full sized machine upon this construction— That the said Abbott by reason of other engagements could not then attend to make one— and was repeatedly afterwards requested by said Samuel to make one— but from his other engagements never complied—

They further testified that the said machine so used by them was then taken apart & some afterwards used, and the said Samuel and was put away. requested the said witnesses not to mention the invention to any person but to conceal it, until he could obtain a patent—

That the machine so used by them was similar in principle & method of operation to the machine described in the specification of the second letters patent of said Samuel dated 26 April 1809— That soon after these experiments were tried the said Samuel became embarrassed in his circumstances. and was broke up in two or three years— That said Samuel told them now he intended to apply for a patent—

The Defts further gave evidence by other testimony that soon after the time of trying these experiments the said Samuel's affairs became & continued embarrassed for several years and that all his property which could be found was taken in execution & sold for the payment of his debts—

The Defts further gave evidence that after the invention of said machine for splitting leather as stated by the witnesses

and now a day being duly called & the parties called to try the issue joined between them as aforesaid, the said issue is committed to the country and at the trial of the cause the Plff to support his action gave in evidence certain letters patents dated the 8th day of May 1809 granted to him the said Plff relating to his invention of a machine for splitting leather - and also a specification & drawings thereof, all of which are hereto annexed & marked - A - and further gave evidence that he had used the invention specified in the same letters patent in practice - and that the same was found highly useful - and further gave evidence that previous to the commencement of the present action two of the Defts to wit David Parker & Henry Parker had publickly used a machine for splitting leather similar in its principles & mode of operation to that of the Plff - The Plff also gave evidence in order to shew that the prospective nature of the Plff's invention & his title as original inventor that as early as the year 1805 the Plff had made several experiments in splitting leather by a machine - & that he made prospective improvements therein - but that only small strips of leather could be split and that one part of the leather only was fit for use after the splitting - At length in October 1808 the Plff succeeded in completing his improvements so as to satisfy by his own mind - and then applied to a workman to construct a machine according to certain instructions which he then delivered him & the machine was completed in February 1809 - & put in operation & found of great utility - and by it a whole hide might be split at a time & both parts of the leather were useful & valuable - Of this last machine the Plff obtained the letters patent in the cause - The essential parts of the invention were shewn to be the to split the leather by a knife of any shape, a measuring gage, and spring plate arrangements - The leather being drawn over a roller, & the knife & the gage & spring plate adapting themselves so as to conform to the varying thickness of the leather & the fibre at which it was desired to be split -

The Defts in order to maintain their defence & support the allegations contained in the special matter matter of defence which is filed in the cause & forms a part of this record - gave in evidence certain letters patent dated the 9th of July 1808 - which among other things contains a machine for splitting leather - with a movable knife - and also letters patents to said Samuel Parker dated the 26th of April 1809 containing the specification & drawings accompanying the same containing a machine for splitting leather with a stationary knife - copies of which said letters patent & specifications are hereto annexed & marked -

And the Defts further gave evidence by the testimony of witnesses & Stearns Johnson Stearns that the said Samuel Parker in the year 1799 invented a machine for splitting leather & then made application to said Stearns to construct it. That said Stearns by his directions & instructions soon made it

the said Samuel invented various other improvements in currying and manufacturing Leather, and that those improvements were included in his patent of the 4th of July 1808. That before taking out of said patent the said Samuel had made a model of a machine for splitting leather with a moveable knife or knives & made some experiments therewith. That this machine differed in no respect from said Samuel's former machine in its construction or method of operation excepting in a lateral motion which was given to the beam in which the knife was placed.

The Defts further offered evidence that the said Samuel in August or September 1808 at Stamford in Connecticut constructed a machine for splitting leather with a moveable knife, upon the plan contained in the specification of his patent of the 4th of July 1808. and that this machine was put in operation there and a considerable number of sides were split thereby to great advantage, so that the Witnesses deemed it a useful & valuable improvement.

The Defts further offered and read in the Testimony of Witnesses that when said Samuel went in June 1808 and to Washington to obtain said patent he after obtaining his leave in Baltimore in Massachusetts his model of a machine for splitting leather which operated with a stationary knife in the same manner as the Plffs machine, or by using a shaft which gave a lateral motion to the beam containing the knife would operate with a moveable knife. and that at Washington in July 1808, when he was about taking out his patent he exhibited a model of a machine with a stationary knife & declared he intended to take out a patent for a machine to be constructed with with a stationary knife and a moveable knife. and that when he made the aforesaid machine at Stamford with a moveable knife he showed the witness a model with a stationary knife & declared that he the said Samuel had intended to have included it in his patent but that it was omitted by mistake & agreed with the witness to furnish him with money to return immediately & take out a patent for it, but the witness was disappointed of receiving the money & therefore could not advance it. That the said Samuel thereupon went to Baltimore & the next Spring went to Washington & on the 26th of April took out his aforesaid second patent for the machine with a stationary knife.

It was further proved that the machine constructed at Stamford after being used for some time was purchased by some third persons. and on account of some questions out

sequently arising as to the ~~respective~~ person who was entitled to the invention - and other causes it was not put into operation by the new proprietors -

A It was further proved that the spring plate was a material part of said machine, in splitting leather - in ~~the~~ ~~other~~ That the plate in the said Pltf's machine was made of iron & that the spring plate in the middle machine made per said Samuel Gay in 1799 & also that made at Stamford in 1808 consisted of an elastic wood or plank - and the Pltf further offered evidence that the elastic wooden plate & the iron plate produced the same effect but that the iron was best - and that wooden plates were used in the machines constructed for said Samuel because they were cheaper, but that each operated in the same way & manner and on the same principles -

The Pltf further to establish his right of action & to rebut the evidence offered by the Defts - offered evidence by the Testimony of witnesses that the said Samuel in answer to some inquiries made of him at Stamford respecting the stationary knife, while his machine was there constructing stated that in his opinion that the stationary knife would answer the purpose intended, because ~~it~~ it would cut the leather, or oblige it to be ~~too~~ much strained in consequence of its passing ~~in~~ to be smooth - & thus the quality of the leather would be materially injured -

Whereupon the Counsel for the Pltf moved that the Jury be instructed, that if they should be satisfied that all the machines devised or invented by said Samuel Gay prior to the invention of the Pltf on 20th October 1808 had been found by experiment to be incompetent to produce the intended effect, or any other useful effect, & had been, or that a machine abandoned by said Gay or constructed upon the principles of the machine so abandoned, & that the combination of the parts & said original invention of his own, & thereby forming an useful machine, capable of producing valuable & beneficial effects, he became entitled, by the Statutes of the United States, in such case made & provided, to a patent for the entire machine, as his own original invention -

Parker's bill of Cost

vs Woodcock

John Fairbanks

Atty to Parker

May Sess 1813

Cumb Court, Boston

United States Jr. Circuit Court
Mass. District May Term 1813

John Bradcock Pltff
vs
John Parker & ah Defts

Defendants Cost — viz

Oct. Term. 1812 Defts. attendance 19 days	$	6.47
Travel of Defendants Continuance 40 miles		2.00
May Term. 1813 attendance 23 days		7.59
Travel of Defts 40 miles		2.00
Trial by Jury		

19 witnesses viz Travel & attendance:

Thomas Holden 40 m. tr. 45 days attend.		8.25
Samuel Brookhouse 40 do. 6 do — do —		9.50
Simeon Stearns 40 do 6 do do —		9.50
Jonathan Bowen 40 do 6 do —		9.50
Joseph Parker — 40 do — 5 do —		8.25
Abner Stearns 18 do — 6 do —		8.40
Samuel Bowen 40 do — 6 do		9.50
Frederick A Parker 40 do — 2 do —		4.50
William Warning 200 miles & 7 days attend.		18.75
Stephen Bishop 200 do do 7 days		18.75
John P. Stone 10 do — 7 do —		9.25
Percy Earl — 108 do 6 days —		12.90
Wm Sprague 108 — 6 days —		12.90
Jacob Farrer 44 — 6 do —		9.70
Wm J. Guenther 44 6 do		7.20
Abel Stowell 88 — 6 do —		11.90
Nathaniel Stephenson 40 & 2 do —		4.50
Zachariah Reed 40 do 4 do —		7.00
John Dike 40 do 6 do —		9.50
two Subpoenas — — —		1.12
15 Depositions viz —		
Daniel Eastwood's Depo. cost in each paid		4.25
Charles Warning's do — do —		4.25
Henry Warning's do — do —		4.50
all of Connecticut dated 20 & 21 Apr. last		
Wm M. Smith's Deposition, cost —		4.25
of Connecticut 20 Apr 1813.		
the above taken by J. Dillman Judge		
Joseph Sprague's Depo. of New York		6.33
Hezekiah Webb's Depo of do —		6.33
Ebenezer Miller's do — do		6.34
the above dated 17 Apr. 1813 taken by		
P. Mesier Judge		

Comm'd forward

amount brought forward $241.18

William H. Sackett's Depo. of New York	7.50
dated 30 Apr. 1813 taken by A Read Judge	
George King's Depo of Baltimore —	7.00
Ferdinand Hook of do — —	7.07
dated 13 Apr. 1813 taken by	
John Scott Judge	
Silas M. Fay's Depo. New York —	6.00
Depo. transd. to m. taken by W Wilson	
Judge — date 26 Apr. 1813	
John Dibblee Depo. New York —	4.50
dated 23 Apr. last taken by A Read Judge —	
Erina Vanderin's Depo of Washington —	5.37
dated 7 Apr. 1813 taken by W Thurston	
Judge	
Luther Brands Depo. of New York —	4.37
dated 27 Apr. 1813 taken by	
Erna Sanford Judge	
Copying & recording &c —	3.50
Entry & fee	2.50
Copies of Answers & Depositions from the	
Patent office of the several witnesses	15.00
for obtaining testimony	
used in this case —	
two transcripts of Depositions omitted	$298.99
	4.
	$302.99
error deducted	$ 1.12.90
	$290.09
	1.33
	$ 289.42

John Davis Clerk

for Defendants

Oct. 1813

Having examined this bill of Cost I find it correct, & that it must be allowed & paid.

204.93
4. — transd omitted
208.93

October 25. 1813 Received of Col Florentius Denny two hundred & ninety one dollars & forty two cents in full for this bill of cost & the agreement is otherwise amicably discharged

John Frankenstein
atty for Defts

34.25
$241.18
4. — transd omitted

To all to whom these presents shall come, GREETING:

I CERTIFY, That the annexed are true Copies of the Specification Draft of invention and Drawings filed in the Office of Secretary of State for which a Patent hath been granted to Peter Dromgoole the 3d day of May 1809. Test . . .

IN FAITH WHEREOF, I Rd Smith

Secretary for the Department of State of the United States of America, have signed these presents, and caused the seal of my office to be affixed hereto, at the City of Washington, this Tenth day of October . . A. D. 1810 and in the Thirty fifth year of the Independence of the said States

R Smith

Specification of John Woodcocks Machine for splitting leather Skins &c by the use of which a vast saving will be made

The bed of the Machine is supported by four feet. On the bed is fixed a knife secured by screws, on the opposite side is ~~fixed~~ a plate is secured by springs, which are moveable at pleasure, and so constructed as to split the leather of any thickness. On one side of the Bed is fixed a Cylinder with an aperture for the leather to pass through, the Cylinder is turned by a winid-lass. the leather intended to be split being fixed into the apperture of the Cylinder, is placed against the edge of the knife and kept in the proper place, by an Iron gage fixed into two posts on the bed of the Machine which is regulated by springs ~~beneath~~ beneath the Arbor and screws above. The leather to be split is secured under a roller, each end of which passes through two standards placed on the bed of the Machine

Signed by Jn°. Woodcock
Jn the presence of us
Joseph Sprague
Daniel Denshaw

John Woodcock

Commonwealth of Massachusetts

Worcester ss. April 24th 1809 Personally appeared Jn°. Woodcock within named before the subscriber one of the Justices of the peace within and for said County, and made oath that he is the sole inventor of the Machine a specification of which is by him subscribed on the other side of this paper and that he verily believes the invention is altogether new

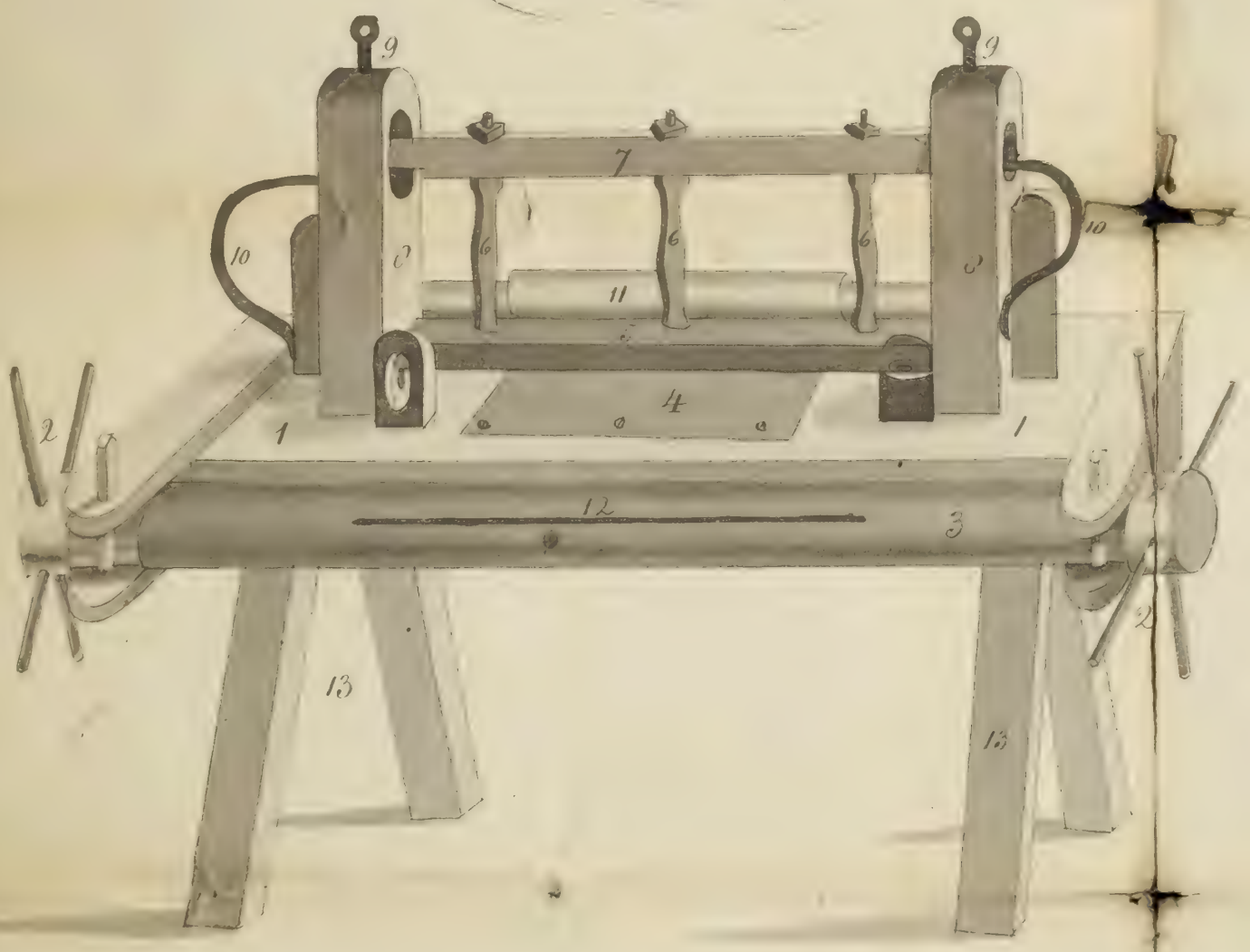
And

And that he the said Jn.° Woodcock is a native Citizen
of the United States of America —

Before

Nath.l Lane Jus pace

John Woodcock's Machine for splitting Leather.



References

1.1. The bed of the Machines.
2.2. The windlass.
3. The Cylinders.
4. The Knife
5. The Gauge
6.6.6. Iron Studs by which the Gauge is connected with the Arbor
7. The Arbor
8.8. Posts in which the Pivots of the Arbor are inserted.
9.9. Screws which regulate the Gauge
10.10. Springs beneath the Arbor which keep it in contact with the Screws above.
11. A Roller under which the Leather passes before it comes to the Knife.
12. The Aperture in the Cylinders.
13. The Legs on which the Machine stands.

Wood Cocks A

To ~~Lemuel Storms~~, Pliny Earle, Jonah Earle, Wm. Sprague
Abel Stowel, Jacob Farrar, Nathaniel Greenleaf
& David ~~Clapham~~ Stevenson
Zacheus Shed, John Dike. **Greeting.**

YOU are hereby required, in the name of the PRESIDENT OF THE UNITED STATES, to make your appearance before the Judge of our Circuit Court, to be holden at Boston within and for the District of Massachusetts, on the fifteenth day of May instant to give evidence of what you know relating to an Action or Plea of the case

then and there to be heard and tried betwixt

John Woodcock Plaintiff, and John Parker et al Defts.

Hereof fail not, as you will answer your Default under the Pains and Penalty in the Law in that behalf made and provided. Dated at Boston the thirteenth day of ~~thirteenth~~ May, in the year of our Lord 1813

Wm S Shaw CLERK.

I certify that I have [illegible] from Exeter

[illegible]

I certify that I have attended Six Days and Travel one Hundred & Eight Miles

Jeremiah Clark

I certify that I have attended Six Days & Travel one hundred & eight miles

Wm Sprague

I certify that I attended ten Days & Travel Forty four Miles

Jacob Farnum

I certify that I attended four Days & Travel Forty four Miles

Wm Jr Greenleaf

I certify that I attended six Days and travel Eighty eight Miles

Abel Stowell

I certify that I attended two days and Travel Forty Miles

Nathaniel Stevens Jun

I certify that I attended four days & Travel Forty Miles

Jonathan Shed

I certify that I attended Six Days & Travel Forty Miles

John Dyke

To William Waring. Stephen Bisbee Simon Stearns
Samuel Forden Samuel Brackett Jonathan Bowers
Abner Stearns Joseph Parker John Fine Samuel Brown Greeting Frederick Parker

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Hereof fail not, as you will answer your default under the Pains and Penalty in the Law in that behalf made and provided. Dated at Boston this Thirteenth day of May —, in the year of our Lord 18 13

Wm S Shaw CLERK.

I Certify that I have attended five Days and Travel Forty Miles

Thomas Holden

I Certify that I have attended Six Days & Travel Forty Miles

Sam Brookbank

I Certify that I have attended Six Days & Travel Forty Miles

Simeon Stearns

I Certify that I have attended Six Days & Travel Forty Miles

Jonathan Bavers

I certify that I have attended five days & Travel Forty Miles —

Joseph Parker

I Certify that I have attended Six Days & Travel Eighteen Miles

Abner Stearns

I Certify that I have travelled ten Miles & attended Six days

~~I Certify that~~

I Certify that I have travelled Forty Miles & attended Court Six days

Samuel Bowers

I certify that I attended two Days & ~~a~~ Travel Forty Miles

Fred^k A. Parker

I certify that I have attended Seven days — & Travel from Cincinnati State of Ohio Twenty two hundred Miles

William Werring

I Certify that I have attended Seven days and Travel Four Hundred & twenty four Miles

Stephen Bishop

I Certify that I attended Seven days & travel ten Miles

John D Stone

The jury find that the defendants are not guilty in manner and form as set forth in the Writ of the Plaintiff

Lewis Ellis Foreman

Affirmed This 22 May 1913

Verdi